

FERGUS MILLAR'S ROME, THE GREEK WORLD, AND THE EAST

The Landmark 3-Volume Set That Transformed The Study Of The Roman Empire

Fergus Millar



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THE ROMAN REPUBLIC
and the
AUGUSTAN REVOLUTION

by FERGUS MILLAR
WITH AN INTRODUCTION BY ALAN K. LLOYD

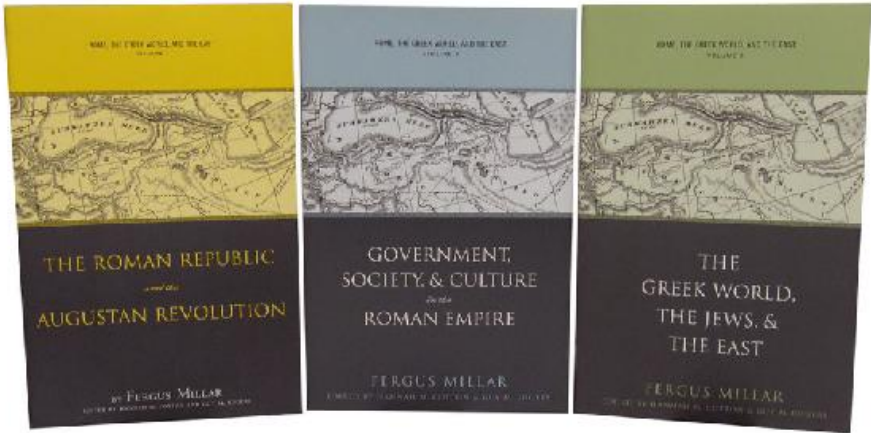
GOVERNMENT,
SOCIETY & CULTURE
in the
ROMAN EMPIRE

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GREEK WORLD,
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Government, Society, and Culture in the Roman Empire
The Greek World, the Jews, and the East
Studies in the History of Greece and Rome

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ROME, THE GREEK WORLD, AND THE EAST

VOLUME 1



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and the
AUGUSTAN REVOLUTION

BY FERGUS MILLAR

EDITED BY HANNAH M. COTTON AND GUY M. ROGERS

Studies in the History of Greece and Rome
P. J. Rhodes and Richard J. A. Talbert, editors

Rome, the Greek World, and the East

VOLUME 1

The Roman Republic and the Augustan Revolution

Fergus Millar

Edited by Hannah M. Cotton and Guy M. Rogers

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Preface

Fergus Millar, Camden Professor of Ancient History in the University of Oxford, is one of the most influential ancient historians of the twentieth century. Since the publication of *A Study of Cassius Dio* by Oxford University Press in 1964, Millar has published eight books, including two monumental studies, *The Emperor in the Roman World* (Duckworth, 1977) and *The Roman Near East, 31 B.C.–A.D. 337* (Harvard, 1993). These books have transformed the study of ancient history.

In his study of the role of the emperor in the Roman world Millar argued that the reign of Augustus inaugurated almost three centuries of relatively passive and inert government, in which the central power pursued few policies and was largely content to respond to pressures and demands from below. After more than twenty years of scholarly reaction, *The Emperor in the Roman World* is now the dominant scholarly model of how the Roman Empire worked in practice.

Reviewers immediately hailed Millar's magisterial study of the Roman Near East as a "grand book on a grand topic" (*TLS*, 15 April 1994). In this grand book, displaying an unrivaled mastery of ancient literary, epigraphical, papyrological, and archaeological sources in Greek, Latin, Hebrew, Aramaic, and other Semitic languages, Millar made the indigenous peoples of the Roman Near East, especially the Jews, central to our understanding of how and why the three great religions of the book, Rabbinic Judaism, Christianity, and Islam, evolved in a cultural context that was neither "eastern" nor "western." There can be no doubt that *The Roman Near East 31 B.C.–A.D. 337* will be the standard work on the subject for a long time to come.

More recently, Millar has challenged widely held notions about the supposed oligarchic political character of the Roman Republic in *The Crowd in Rome in the Late Republic* (Michigan, 1998). In the future, Millar intends to return to the Roman Near East for another large-scale study, to be entitled *Society and Religion in the Roman Near East from Constantine to Mahomet*. In this study Millar will bring the story of Greco-Roman culture in the Near East from the early fourth century up to the Islamic invasions of the seventh century A.D.

During the same period in which he has produced these groundbreaking books, Millar also has published over seventy essays on aspects of Greco-Roman history, from the Hellenistic period until the middle of the fifth century A.D. These essays have laid the foundations

for or supplemented the ideas and arguments presented in Millar's very well known books. Some of these essays, such as "The Emperor, the Senate and the Provinces" (*Journal of Roman Studies* 56 [1966]: 156–166), or "Emperors, Frontiers and Foreign Relations, 31 B.C.–A.D. 378" (*Britannia* 13 [1982]: 1–23), have appeared in hitherto accessible journals and are widely regarded as classics of scholarship. But other outstanding essays, published in specialty journals or edited volumes, such as Millar's study, "Polybius between Greece and Rome" (published in *Greek Connections: Essays on Culture and Diplomacy* [1987]: 1–18), have been more difficult to locate, even for professional historians doing research in the field.

Therefore, the primary goal of our collection, *Rome, the Greek World, and the East*, is to bring together into three volumes the most significant of Millar's essays published since 1961 for the widest audience possible. The collection includes many articles which clearly will be of great intellectual interest and pedagogical use to scholars doing research and teaching in the different fields of the volume headings: Volume 1, *The Roman Republic and the Augustan Revolution*; Volume 2, *Government, Society, and Culture in the Roman Empire*; and Volume 3, *The Greek World, the Jews, and the East*. At the same time, we have conceived and organized the three volumes of *Rome, the Greek World, and the East* especially in order to make Millar's most significant articles readily available to a new generation of students.

The principle of arrangement of the essays in each of the three volumes is broadly chronological by subject matter treated within the ancient world, after an initial section on "Conceptions and Sources" in volume 1. We believe that this chronological arrangement of essays (rather than by publication date of the essays) gives intellectual coherence to each volume on its own and to the collection as a whole. Overall, as Millar himself has defined it in the prologue, the subject of this collection is "the communal culture and civil government of the Greco-Roman world, essentially from the Hellenistic period to the fifth century A.D."

Publication of a three-volume collection of essays, drawn from a wide variety of journals and edited volumes, over nearly four decades of scholarly production, presents editors with some major stylistic challenges. Our collection contains more than fifty essays. Most of these essays originally were published in learned journals or books, each of which had its own house style. Some learned journals also have changed their house styles over the time that Millar has

published in them. For these reasons we have not attempted to bring all of the citations in the texts or notes of the articles in the collection into perfect stylistic conformity. Conformity for the sake of conformity makes no sense; moreover, to achieve such conformity would delay publication of the collection for years.

Rather, the stylistic goal of our collection has been to inform readers clearly and consistently where they can find the sources cited by Millar in his essays. To help achieve that goal we have included a list of frequently cited works (with abbreviations for those works) at the beginning of each volume. Thus, in the text or notes of the essays, readers will find abbreviations for frequently cited journals or books, which are fully cited in our lists at the beginning of each volume. For example, references in the notes to the abbreviation *JRS* refer to the *Journal of Roman Studies*. For the abbreviations themselves we have relied on the standard list provided in *L'Année Philologique*. In certain cases, where there have been individual citations in the original texts or notes to more obscure collections of inscriptions or papyri, we have expanded the citations themselves in situ, rather than endlessly expanding our list of frequently cited works.

In accordance with Professor Millar's wishes, for the sake of readers who do not know Latin or Greek, we have provided English translations of most of the extended Greek and Latin passages and some of the technical terms cited by Millar in the text and notes of the original essays. In doing so, we have followed the practice Professor Millar himself adopted in *The Emperor in the Roman World* in 1977. We believe that providing these translations will help to make Millar's essays more widely accessible, which is the essential goal of the collection. Readers who wish to consult the original Greek and Latin passages or technical terms which we have translated in the collection can look up those passages or technical terms in the original, published versions of the essays.

The editors would like to thank the many friends and colleagues who have helped us in the process of collecting these essays and preparing them for publication. We are indebted first of all to Lewis Bateman, formerly senior editor at the University of North Carolina Press, who suggested the basic arrangement of the essays into three volumes. We are also grateful to David Perry, editor-in-chief, and Pamela Upton, assistant managing editor at the University of North Carolina Press, for their flexibility, advice, and support of the project.

Gabriela Cerra, Asaph Ben Tov, Tamar Herzog, Masha Chormy, Ori

Shapir, and Andrea Rotstein in Israel and Desirée Garcia, Molly Maddox, and Dr. Nancy Thompson of the Metropolitan Museum of Art in New York in the United States provided editorial assistance. Our thanks also to Mark Rogers for his help with the maps. We owe a great debt to Priscilla Lange for her helpfulness and kindness to us in Oxford. We also would like to express our gratitude to the Fellows of Brasenose College Oxford and All Souls College Oxford for their hospitality while we were working on this project.

Above all, however, the editors would like to thank Fergus Millar, for his scholarship, his generosity, and his friendship over more than two decades.

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INTRODUCTION

Polybius Was Right

At the beginning of the three-volume collection of essays entitled *Rome, the Greek World, and the East*, Fergus Millar, in a prologue written for volume 1, looks back at the essays collected here and contends that “Ancient History” is meaningful and intelligible to us precisely because it is comparatively so recent and we are still so close to it in so many important ways.

Following the author's prologue, the essays of Millar in this volume defend the continued significance of the study of classics, argue for expanding the definition of what constitutes classics, and challenge the dominant twentieth-century scholarly interpretation of Roman politics. According to Millar, the Roman people, not the Senate, was the sovereign power in Republican Rome.

After a brief survey of the contents of volume 1, *The Roman Republic and the Augustan Revolution*, following the logic of Millar's argument, in this introduction I set out some of the relatively unexplored interpretive implications of accepting that Polybius was right about the role of the people in the structure of the Roman Republic.

In the first essay of this volume, “Taking the Measure of the Ancient World,” Millar reminds classicists and others of the enormous substantive and temporal boundaries of the field. Classics is, or should be, the study of the culture, in the widest sense, of any population using Greek and Latin from the late Bronze Age to the Islamic invasions of the seventh century A.D. at the earliest. The importance of classics as a major part of human experience stems from its sheer extensiveness in space and time.

Having defined the vast scope of the field of classics, Millar then argues persuasively for studying Greek and Roman history together. We should do so because the histories and cultures of Greece and Rome were closely connected from the eighth century B.C. and became even more inextricably intertwined as time went on. Within the same essay a compelling case is made for including Jewish and Christian texts in our conception of classics. Indeed, scholars familiar with Millar's books, especially his revision of E. Schürer's classic three-volume study, *A History of the Jewish People in the Age of Jesus Christ, 175 B.C.–A.D. 135* (along with G. Vermes, M. Black, and M.

Goodman), will recognize that Fergus Millar has done as much as any classical scholar in the twentieth century to make the historical experience of the Jewish people during the Hellenistic and Roman imperial eras central to the study of classical history.

In the second essay of the volume, “Epigraphy,” Millar then provides a uniquely succinct survey of inscriptions from the Greco-Roman world and their uses to historians. In his survey Millar cites a number of illustrative epigraphical texts to show what inscriptions can and cannot tell us about the ancient world. He points out, for instance, that the existence of a single inscription, documenting a particular practice from the geographical or temporal limits of the classical world, allows us to deploy a kind of “double-negative” reasoning. The existence of such a text proves that it is *not* the case that there are *no* examples of a phenomenon from a particular place and time. Thus, the existence of one inscription can destroy a possible negative generalization about Greek or Roman history. Here, and elsewhere in this volume, readers will find that Millar's “rules of evidence” characteristically derive from very wide reading and analysis of the ancient evidence itself, including manuscripts, papyri, and inscriptions. Indeed, the originality of Millar's scholarship has been sustained over decades by his deep and continued engagement with the ancient evidence itself.

Deep engagement for Millar with respect to inscriptions has involved reading epigraphical texts in bulk and analyzing them as examples of literature in their own right. As an example of the value of such an approach, Millar's essay “Imperial Ideology in the Tabula Siarensis” (chapter 15) shows how close reading of a number of related inscriptions can be used to control distortions in Tacitus' account of events in Rome in relation to the posthumous honors for Drusus, the son of Tiberius, in A.D. 23. In this essay and, indeed, throughout this collection, readers will discover just how remarkable the scholarly results can be when inscriptions are treated as literature in their own right *and* are historically contextualized.

In part II Millar calls into question the assumption found in much scholarship since the publication of M. Gelzer's *Die Nobilität der römischen Republik* (The nobility of the Roman Republic) in 1912 that Republican Rome was dominated by a homogeneous “patrician-plebeian” élite (the Senate), which rendered popular participation in politics passive and nominal through a network of patronage relationships. Rather, Millar argues, in a series of essays presented

here and in part III, such patronage relations cannot serve as the key to understanding the political process in Rome. The citizen body of Rome was too large for such a system to have operated effectively, and our evidence also reveals that those who aspired to office in Rome competed for popular favor. Most important, however, we need to remember that the Roman citizen body voted directly on legislation, elected all the annual holders of political and military office, and judged cases in popular courts constituted by the centuriate assembly (*comitia centuriata*) and the tribal assembly (*comitia tributa*).

If we believe that sovereignty resides within those institutions which have the power to legislate or judge capital cases, then the sovereign power in Rome during the Republic—whose *imperium* (military and legal jurisdiction) was extended throughout Italy and to the provinces in the course of the Republic—was ultimately, at least in theory, the Roman citizen body. Moreover, according to Millar, at the center of the practice of Roman politics was not the Roman patron (*patronus*), imposing his will upon a client, but rather the orator, addressing the crowd in the Roman Forum. As Millar has put it (in chapter 4, “The Political Character of the Classical Roman Republic, 200–151 B.C.”), some people made speeches and other people voted.

In sum, Polybius, the Greek politician from Megalopolis, who wrote forty books of *Histories* explaining Rome's rise to power to a Greek-reading audience after 168 B.C., was right about the role of the Roman people in the formal structure of the *res publica* and his modern critics are wrong, when he wrote:

After this we are naturally inclined to ask what part in the constitution is left for the people [δημῶ], considering that the Senate controls all the particular matters I have mentioned, and, what is most important, manages all matters of revenues and expenditure, and considering too that the consuls have uncontrolled authority as regards preparations for war and operations in the field. But nevertheless there is a part, and a very important part left for the people. For it is the people which alone has the right to confer honors and inflict punishment, the only bonds by which kingdoms and states and in a word human society are held together. For where the distinction between these is overlooked or is observed but ill applied, no affairs can be properly administered. How indeed is it possible when good and evil men are held in equal estimation? It is by the people then, in many cases, that offenses punishable by fine are tried, especially when the accused have held the highest office; and they are

the only court which may try capital charges. As regards the latter they have a practice which is praiseworthy and should be mentioned. Their usage allows those on trial for their lives when found guilty liberty to depart openly, thus inflicting voluntary exile on themselves, if even only one of the tribes pronouncing the verdict has not yet voted. Such exiles enjoy safety in the territories of Naples, Praeneste, Tibur, and other allied states. Again it is the people who bestow office on the deserving, the noblest reward of virtue in a state; the people have the power of approving or rejecting laws, and what is most important of all, they deliberate on the question of war and peace. Further, in the case of alliances, terms of peace and treaties, it is the people who ratify all these or the reverse. Thus here again one might plausibly say that the people's share in the government is the greatest, and that the constitution is a democratic one (Polybius, *Histories* 6, 14)

Although Polybius goes on to recount how each of the three parts of the state (consuls, Senate, people) was able to counteract or cooperate with the other parts if it wished, it should be obvious from Polybius' account that he believed that no one could understand either the theory or practice of Roman republican politics if his view did not somehow encompass the power of the Roman people as represented directly, if imperfectly, in their assemblies.

But, as Millar notes, the interpretive implications of accepting the fact that Polybius was right, and most modern historians have been wrong, about the theory and practice of Roman Republican politics, extend far beyond the narrative history of the second century B.C. Republic. Major events in late republican history, such as the Social War of 90 B.C. between Rome and its Italian allies, the Sullan counter-revolution of 82 B.C., the outbreak of the civil wars in 49 B.C., and the emergence of the triumvirs, all need to be viewed in the context of popular politics, or crowd politics.

Most important of all, however, Millar's restoration of the citizen body to its rightful place within the constitutional structure of the *res publica* and its politics provides the analytical framework for a very different understanding of what happened in 27 B.C. than we might gather from reading the *Annales* of Tacitus. Octavian's alleged restoration of the *res publica*—or the foundation of the monarchy—was not the seizure of sovereign power from the Senate by Octavian, because the Senate was not the sovereign power in the first place. It was to the discretion of the Senate *and* the Roman people that Augustus later claimed to have transferred the *res publica* from his

power (“rem publicam ex mea potestate in senatus populique Romani arbitrium transtuli,” *Res Gestae*, 34). Moreover, it was to the *populus Romanus* that the *imperium*, and at least some of the provinces of the empire, belonged in constitutional theory. That, at any rate, seems to have been the point of view of Augustus himself, who claimed to have added Egypt “to the imperium of the Roman people” (*Res Gestae* 27).

Even if this claim is taken to be mendacious or merely symbolic, as some scholars have argued, the question for historians is why it was important for Augustus to have made such a claim publicly in A.D. 14, long after the establishment of the monarchy. In other words, if popular politics were only a symbolic charade during the Republic, why was it necessary for the most powerful man in the Mediterranean world to keep up the charade during the empire?

Whatever we make of Augustus' public claim to have added Egypt to the jurisdiction of the Roman people, it should be obvious that we cannot understand either the politics of the Roman Republic or the historical transition from the *res publica* to the monarchy—what Ronald Syme deemed the “Roman Revolution”—if we leave the Roman citizen body (*Quirites*) or the Roman people (*populus Romanus*) out of our account. Indeed, although Millar himself never says so explicitly in any of the essays collected here, it is possible to argue on the basis of the evidence he cites in these essays that the second Roman monarchy itself was one of the (unintended) consequences of the struggle between some of the *nobiles* and the *populus Romanus* over the question of who was the sovereign power in the *res publica*. If we look at the breakdown of the Roman Republic from this perspective, we might see the emergence of a monarch from among the *nobiles* in 27 B.C. as an ironic victory for that democratic element in the Roman constitution, the Roman people.

Indeed, articles included in part III, “The Augustan Revolution,” which, at the time of publication, rightly achieved classic status for the way they used a variety of literary and documentary sources from around the Mediterranean world to re-define the nature of the change from republic to monarchy, as reflected upon by contemporaries, now can be seen to have foreshadowed Millar's later and implicit challenge to our interpretation of the nature of the “Roman Revolution” itself. For instance, we now should see the case Millar made for the persistence of votes by the Senate *and* the people through the Triumviral period in his 1973 article, “Triumvirate and Principate” (chapter 10) to have laid the foundations for arguments made in later

articles, such as “Imperial Ideology in the Tabula Siarensis” (chapter 15), published in 1988, about the continuing significance of the people in the passage of legislation, even during the early imperial period.

Similarly, Millar's full exposure in 1989 of how modern scholars unjustifiably have imposed on the ancient evidence an item of terminology, “the senatorial provinces” in “‘Senatorial' Provinces: An Institutionalized Ghost” (chapter 13), which wrongly implies a division of responsibility between the emperor and the Senate for the provinces, can be traced directly back to arguments made in the earliest article included in volume 1: “In no sense whatsoever did the Senate ‘control’ the senatorial provinces, and the proconsuls were not ‘responsible to’ it. Both the emperor and the Senate, predominantly of course the former, made regulations (sometimes jointly) affecting all the provinces” (chapter 11, “The Emperor, the Senate and the Provinces,” *JRS* 56 (1966): 165). In the articles of part III, which were published later, the style of argumentation is often tighter and more explicit, but the concerns and themes of the articles, from 1966 to the present, remain substantially the same. Substance abides.

When a historian has challenged long-held scholarly orthodoxies about who the sovereign power in republican Rome was and how Roman politics were practiced, we should expect specialists in the field of Roman republican history either to lend support to his arguments (e.g., A. Yakobson, “*Petitio et Largitio*: Popular Participation in the Centuriate Assembly of the Late Republic,” *JRS* 82 [1992]: 32ff.), or to critique his work. (For a valuable contribution to the debate about Roman “democracy,” see M. Jehne, ed., *Demokratie in Rom? Die Rolle des Volkes in der Politik der römischen Republik* [Stuttgart, 1995].) Such diverse scholarly responses are a clear sign of the importance of the debate and, perhaps more important, of the vitality of the field of Roman history itself at the beginning of the new millennium.

But whatever scholarly consensus eventually emerges about who the sovereign power in republican Rome was and what the nature of Roman politics was, there can be no doubt but that in the essays of this volume Millar has revived Roman republican history by having the courage to ask what is surely a deeper, and even more important question than the question of who was the sovereign power in republican Rome: that is, who, or what community, or communities, ought to be the subject of the history of Rome?

For Millar, the answer to this question is that the history of Rome is, or should be, under the Republic as under the Empire, the history of the whole community, not just the Senate. If Millar is right about the answer to this fundamental question—and I believe he is—large parts of the history of the Roman Republic *and* the early Roman Empire need to be rewritten. Therein lies the scholarly challenge for the next generation of Roman historians.

Guy MacLean Rogers

Wellesley College

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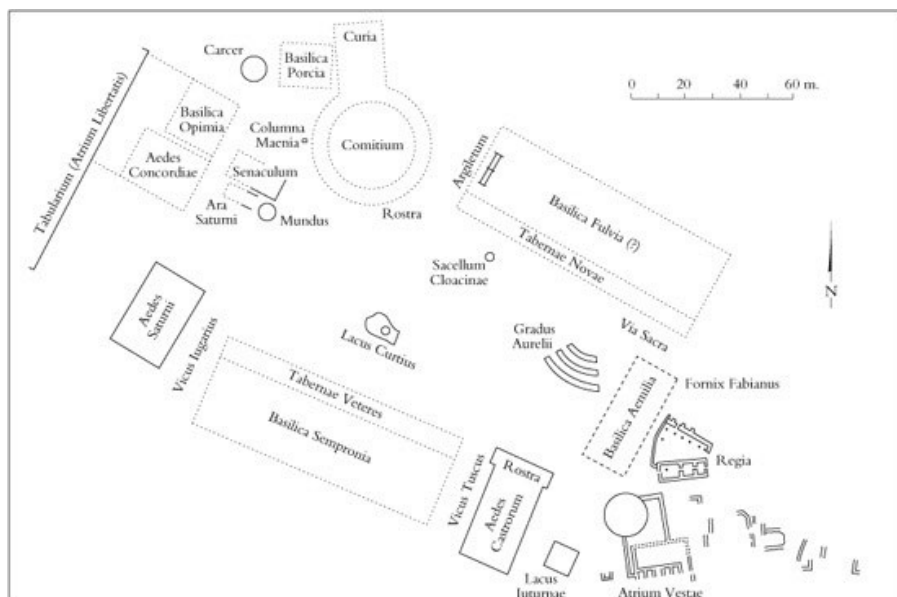
Abbreviations

Abbott and Johnson F. F. Abbott and A. C. Johnson *Municipal Administration in the Roman Empire* (1926) AC *L'Antiquité Classique* Acta Ant. Acad. Sc. Hung. Acta Antiqua Academiae Scientiarum Hungaricae AE *L'Année Épigraphique* AJA *American Journal of Archaeology* AJAH *American Journal of Ancient History* AJPh *American Journal of Philology* Amer. Hist. Rev. *American Historical Review* Ann. Arch. Arab. Syr. Annales Archéologiques Arabes Syriennes Ann. Sc. N. Sup. Pisa Annali della Scuola Normale Superiore di Pisa ANRW *Aufstieg und Niedergang der römischen Welt. Geschichte und Kultur Roms im Spiegel der neueren Forschung* Ant. Class. *L'Antiquité Classique* Arch. esp. de arqu. *Archivo Español de Arqueología* Arctos Arctos. Acta philologica Fennica Ath. Mitt. *Mitteilungen des Deutschen Archäologischen Instituts, Athenische Abteilung* Athenaeum Athenaeum. Studi periodici di Letteratura e Storia dell'Antichità BAR Supp. *British Archaeological Reports, Supplements* BCH *Bulletin de Correspondance Hellénique* BE *Bulletin Épigraphique*, published in *Revue des Études Grecques* BGU *Aegyptische Urkunden aus den Königlichen (Staatlichen) Museen zu Berlin, Griechische Urkunden* BICS *Bulletin of the Institute of Classical Studies of the University of London* Brit. Journ. Sociol. *British Journal of Sociology* Bull. Epig. *Bulletin Épigraphique*, published in *Revue des Études Grecques* Bull. Inst. Cl. Stud. *Bulletin of the Institute of Classical Studies of the University of London* CAH, CAH² *Cambridge Ancient History* Cavenaille, Corp. Pap. Lat. R. Cavenaille, *Corpus Papyrorum Latinarum* (1958) Charlesworth, Documents M. P. Charlesworth, *Documents Illustrating the Reigns of Claudius and Nero* (1951) CIL *Corpus Inscriptionum Latinarum* Coll. Int. du CNRS *Colloques internationaux du Centre National de Recherche Scientifique* Coll. Mosaicarum et Romanarum Legum Collatio (FIRA² I, 541–89) CQ *Classical Quarterly* CR *Classical Review* CRAI *Comptes-rendus de l'Académie des Inscriptions* Degrassi, Ins. It. A. Degrassi, *Inscriptiones Italiae* Dial. d'hist. anc. *Dialogues d'Histoire Ancienne* Dial. di Arch. *Dialoghi di Archeologia* Diz. Epig. *Dizionario Epigrafico* Econ. Hist. Rev. *Economic History Review* Ehrenberg and Jones V. Ehrenberg and A. H. M. Jones, *Documents Illustrating the Reigns of Augustus and Tiberius*² (1955; repr. with addenda 1976, 1979) FGrH F. Jacoby, *Die Fragmente der griechischen Historiker* FHG C. Müller, Th. Müller, et al., *Fragmenta Historicorum Graecorum* I–V (1853–70) FIRA² S. Riccobono, J. Baviera, C. Ferrini, J. Furlani, and V. Arangio-Ruiz, *Fontes Iuris Romani Anteiustiniani*² I–III (1940–43) G&R *Greece and Rome* Gesch. d.

röm. Lit.⁴ *Geschichte der römischen Literatur* GRBS Greek, Roman and Byzantine Studies HSCPh Harvard Studies in Classical Philology I. K. Eph. = I. K. Ephesos Inschriften griechischer Städte aus Kleinasien: Ephesos I. K. Kyme Inschriften griechischer Städte aus Kleinasien: Kyme IG Inscriptiones Graecae IGBulg. G. Mikailov, Inscriptiones Graecae in Bulgaria repertae IGLS Inscriptions grecques et latines de la Syrie IGR R. Cagnat et al., Inscriptiones Graecae ad Res Romanas Pertinentes ILLRP² Inscriptiones Latinae Liberae Reipublicae ILS H. Dessau, Inscriptiones Latinae Selectae I–III Ins. Didyma A. Rehm and R. Harder, eds., Didyma II: Die Inschriften Int. Hist. Rev. International History Review Ist. Mitt. Mitteilungen des Deutschen Archäologischen Instituts, Istanbul Abteilung Iura Iura. Revista internazionale di Diritto romano e antico. Jahreshefte Öst. Arch. Inst. Jahreshefte des Österreichischen Archäologischen Instituts JEA Journal of Egyptian Archaeology JJS Journal of Jewish Studies JRS Journal of Roman Studies LTUR E. M. Steinby, Lexicon Topographicum Urbis Romae I–VI (1993–2000) McCrum and Woodhead, Select Documents M. McCrum and A. G. Woodhead, Select Documents of the Principates of the Flavian Emperors (1961) MEFR(A) and MEFR Mélanges d'Archéologie et d'Histoire MRR T. R. S. Broughton, The Magistrates of the Roman Republic NC Numismatic Chronicle Num. Chron. Numismatic Chronicle OGIS W. Dittenberger, Orientis Graeci Inscriptiones Selectae I–II (1903–5) ORF³ H. Malcovati, Oratorum Romanorum Fragmenta³ P.Köln Kölner Papyri Platner-Ashby S. B. Platner and T. Ashby, A Topographical Dictionary of Ancient Rome (1929) Pap. Brit. Sch. Rome Papers of the British School at Rome P. Oxy B. P. Grenfell, A. S. Hunt, et al., eds., The Oxyrhynchus Papyri (1898–) P.Ryl. Catalogue of the Greek papyri in the John Rylands Library at Manchester PBSR Papers of the British School at Rome PCPhS Proceedings of the Cambridge Philological Society Peter, HRR H. Peter, Historicorum Romanorum Reliquiae PIR¹, PIR² Prosopographia Imperii Romani (1897–98 and 1933–) Proc. Roy. Irish Acad. Proceedings of the Royal Irish Academy P-W Pauly-Wissowa, Realencyclopädie der klassischen Altertumswissenschaft REA Revue des Etudes Anciennes R.I.C. H. Mattingly and E. A. Sydenham, eds., Roman Imperial Coinage I – (1923–) RFIC Rivista di Filologia e di Istruzione Classica RG Res Gestae RIDA Revue Internationale des Droits de l'Antiquité Röm. Mitt. Mitteilungen des Deutschen Archäologischen Instituts, Römische Abteilung Rostovtzeff, SEHRE² M. Rostovtzeff, Social and Economic History of the Roman Empire², ed. P. M. Fraser (1957) RRC I (1974) M. Crawford, Roman Republican Coinage I (1974) Sardis, VII.1 W. H. Buckler and D. M. Robinson, Sardis VII.1: Greek and Latin Inscriptions (1932) SB Sammelbuch griechischer Urkunden aus Aegypten

1915– *SEG Supplementum Epigraphicum Graecum* (1923–) *Sel.Pap.* A. S. Hunt and C. C. Edgar, *Select Papyri*, I–III. Loeb Classical Library. (1932–42) *Stud. Class. e Or. Studi Classici e Orientali Syll.*³ *Sylloge Inscriptionum Graecarum*³ I–IV (1915–24) *TAPhA Transactions of the American Philological Association* *TLS Times Literary Supplement* *YCS Yale Classical Studies* *ZPE Zeitschrift für Papyrologie und Epigraphik*

Rome, the Greek World, and the East



The Forum, c. 53 B.C. (adapted from F. Millar, *The Crowd in Rome in the Late Republic* [Michigan, 1998], p. 40)



Augustan Rome



Italy during the late Republic



The Roman Empire and the eastern Mediterranean, C. 27 B.C.

Author's Prologue

For someone who claims to be a historian of the ancient world, to look both back on what he himself has written and forward to what might be written by others is salutary and stimulating, but also disturbing. For a start, what we conventionally call “the ancient world,” namely the Mediterranean and the areas which were in contact with it, from the second millennium B.C. to (perhaps) the reign of Justinian or the early Islamic conquests, was not “the world” at all, but only a modest part of it. Central Asia, Afghanistan, the Indian sub-continent, and Sri Lanka do indeed come into the story. But the northern part of the Eurasian landmass only does so very obscurely and indirectly, while China, Japan, south-east Asia, and the early history of human habitation in Australia and sub-Saharan Africa, as in the Americas, are entirely outside what is meant by “the ancient world” in this sense.

More clearly still, Graeco-Roman history, far from being “ancient,” is, comparatively speaking, the study of a very recent phase of human history. Humans evolved several million years ago (perhaps some 7 million years) and had spread from Africa into south-east Asia by around a million years ago and into Europe half a million years ago. On present calculations, almost all parts of the world where humans now live, except some Pacific islands, had been populated by humans before the emergence of the first writing in the Greek language (though not yet in the Greek alphabet) in the second millennium B.C. If we think in the categories of time and space, by far the larger part of the “ancient history” of humans is pre-history, illuminated by no written texts, and discernible now only through its physical remains.

To realise how recent and how close, in every sense, to ourselves, the Graeco-Roman “ancient world” is, is both disconcerting and encouraging. Disconcerting, because the study of that “ancient world” is revealed as a parochial pursuit, in which the danger is that everything from the structure of the languages involved, to the two main alphabets, to literary forms, architecture, political formations or philosophical ideas, will seem too readily accessible and intelligible. It is so, as is obvious, not only because of the dependence of “Western” civilisation on that of the Graeco-Roman world, but because it is all so close to us in time. To put it in graphic terms, if we look back from the end of our second, Christian, millennium, the lifetimes of a mere twenty-five people aged eighty, imagined as following in sequence on each other, would take us back to the reign of Augustus and the birth

of Jesus. Even the legendary date of the Trojan War is, in these terms, only some forty lifetimes away, while the Islamic conquest of Syria and the Near East in the seventh century is a mere seventeen.

The Graeco-Roman “ancient historian” therefore needs a dose of modesty and an awareness of just how much more is involved in the genuinely “ancient” history of humans, and of how much had already happened before his or her subject matter comes into view, even in that limited part of the world in which Graeco-Roman history took place, or with which the classical world had connections.

Many readers will have begun to suspect, rightly, that these very general thoughts owe everything to the seminal work by Jared Diamond, *Guns, Germs and Steel*.¹ This reading indeed has given me a sense of how parochial our activities as “ancient historians” are, and in that sense it is certainly disconcerting. In other senses, however, it is not. For, firstly, one of the central messages of the book is the overwhelming importance of the possession, or absence, of inherited capacities, and inherited physical and technical resources, for the contacts and conflicts between different societies. But, for the moment, I want to leave that theme aside, to look at two other themes which emerge from Diamond’s study of early human evolution, both of them fundamental to seeing Graeco-Roman “ancient history” in perspective. One is the very restricted and limited nature of the domestication of plants and animals, and the other is the immense importance of lateral communications from east to west across the Eurasian landmass. In a way which is quite striking, and indeed encouraging, to the conventional “ancient historian,” the study of the earliest domestication of food plants (wheat, peas, olives) and of animals (sheep and goats) gives a crucial predominance to the Fertile Crescent, where these developments may have occurred around 8500 B.C., or some 10,000 years or more ago. The adoption of these domesticated crops and animals in the Mediterranean zone and Europe seems to have been a function of their dissemination from the Fertile Crescent, and to have taken place between 6000 and 3500 B.C. In an extraordinary way, therefore, we can now discern the real roots and origins of Western civilisation, which are mirrored in the mythical story of Abraham, and his migration from Mesopotamia to the Holy Land, there to serve as the founder figure of a sacred story which, diffused in Greek and Latin as Christianity, would embrace all of the Mediterranean zone and Europe; and, transmitted into Arabic, would travel back across the Eurasian landmass to Iran, Central Asia, India,

and south-east Asia.

More particularly, the story, or rather the set of different stories, told by Jared Diamond, focusing, as regards the early period, on the basic features of human exploitation of the plant and animal world, ought to serve to invite historians of the Graeco-Roman world also to go back literally to basics. The first question to ask might then be: off what stock of plants did communities which spoke Greek or Latin in fact live, and how were these plants grown and harvested, and their products stored and cooked? The second concerns animals. One of the most striking messages of Diamond's book is also how narrow and limited, at all times, has been the range of animals which have genuinely been domesticated and bred, to be used for food, clothing, leather, carrying burdens, pulling wheeled carts or sledges or ploughs, and war.

The question of diet and food supply has at least now been brought firmly to the attention of classical ancient historians, above all in the work of Peter Garnsey,² while the late Joan Frayn opened up quite new perspectives in making us think about wild and cultivated plants, or about sheep-rearing and the wool trade.³ There is no need to multiply examples: all that is underscored here is the need for awareness, on the part of those whose access to the classical world is essentially mediated through words, of the desirability of understanding the terms of human interaction with, and exploitation of, the natural world. Of course, in that area too, we neither can nor should attempt to work without the aid of the words in which classical writers reflected this relationship, whether it is Galen's treatise *On the Properties of Foodstuffs*,⁴ or the *Naturalis Historia* of Pliny the Elder. Mary Beagon's study has shown that the *Natural History* has an intellectual structure, and is more than just a random assembly of items of evidence.⁵ But in fact we should not be wary of using the *Natural History* also as just that, as an endless series of sidelights on human interaction with and exploitation of, the varied components of the natural world, whether organic (plants, animals, and fish) or inorganic, which means above all metals and stone, as it took place in the classical world.

The latter theme is one area with which, at least as regards the era before there were "guns," Jared Diamond's infinitely stimulating and suggestive book does not really deal. That is to say, the evolution of tools, and with them the expansion of human capacity to dig, to quarry, to cut both wood and stone, and to construct wheeled

vehicles, ships, houses, temples, and public buildings, as well as the ability to make weapons for killing animals and other humans, both at close quarters and at a distance.

Yet, even if it were the case that we possessed no literary record (transmitted through medieval manuscripts) of the classical world, and had no idea of its history as constructed by those who wrote within it, the arrival, evolution, and spread—over most of the area from Hadrian's Wall to Afghanistan—of a very distinctive material culture would be clearly visible in the archaeological record. For what that record would show first of all is a vast production of manufactured objects, particularly pottery vessels and containers of innumerable kinds, accompanied by a high level of construction in stone, of both private and monumental communal buildings, and by representational art, coins bearing both words and images (of which there must literally be millions now preserved), and documents inscribed on stone or bronze, or on perishable materials. In the case of written texts in many of the languages involved—for instance (obviously), Latin, Greek, Hebrew, and Syriac—no complex process of decipherment, such as there is with Akkadian, would even be necessary. For in these languages the letter forms, the grammar, and much of the vocabulary are essentially still current today.

Of course this picture of a hypothetical re-discovery *de novo* of a hitherto unknown “classical” world, known only from archaeology, is a fantasy, because the close connections between it and ourselves are a function of the fact both that the classical world itself evolved an elaborate literature, and that subsequent generations have not only never lost contact with that literature, but have been profoundly shaped by contact with it. If nothing else, there has never been a break in the cultural history of the Near East, the Mediterranean and Europe, of a sort which would have led to a break in the continuous reading of the Bible, in Hebrew, in Greek, and in Latin. It should be stressed that all three of these versions of the Bible, as canonical assemblages of texts, are products of the classical world: the latest book of the Hebrew Bible (Daniel), was composed in the second century B.C., and the Hellenistic period saw the translation of it, and of all the other books, into Greek; and both the “Old Latin” and the Vulgate, as Latin versions of the Bible, are products of the Roman Empire.

The fact that continuous use of texts, pagan and Christian, in Greek and Latin, links us directly to the classical world, and that there is no

way in which we either can escape their influence or should seek to, does not mean that we should not try to look beyond them, to discern the material development of human life and settlement in the whole vast range of different areas which at one time or another came within the orbit of Graeco-Roman civilisation. Vast regions of the Graeco-Roman world are in any case hardly illuminated by any literary texts, or, if they are so at all, it is only by passing allusions to peripheral societies made by writers from the main stream of the classical tradition. A total history of human society in all the areas concerned, from southern Scotland to northern India—something which is currently (and for all foreseeable futures) completely unattainable—would have to encompass the fundamental issues of nutrition and of interactions with the physical world with which I began, and would involve an understanding of an immense series of complex questions: health, patterns of disease, expectation of life, demography, family structure, housing, and sanitation. Beyond these would lie the question of dependence on household production for subsistence, or alternatively of access to markets for food, and dependence or otherwise on the market for access to manufactured goods, furniture, or clothing. As indicated already, virtually the entire geographical area which saw the flourishing of Graeco-Roman civilisation, a period which in terms of human history is very recent indeed, has left a vast stock of physical evidence, from potsherds to buildings to organic remains, which is potentially relevant to all these questions. But one need only sketch the ideal of answering fundamental questions of human life in the way suggested to make it obvious that all that can be hoped for at the moment is partial studies, often of what are in fact very small archaeological sites, and which at best can give only very limited and localised answers.

None the less, the purpose of spelling out these unattainable ideals is that the wider background of our almost all-embracing ignorance should be kept in mind when we think of the more limited, but still enormously extensive, evidence which we do have—evidence which is accessible, which in itself can be understood, and which will yield at least partial and suggestive answers to major questions.

For instance, the physical remains of construction, from the foundations of small huts to the Pantheon in Rome, with its dome still complete as Hadrian built it, can be found almost anywhere in the area covered by Graeco-Roman civilisation. In Diamond's picture of the relative capacities of different societies, the topic of quarrying,

stonecutting, the carving of decoration in stone, and the haulage of stone to the intended sites for building might have played a larger part. We can think of this area of enquiry as an aspect of the history of technology, or of education and training (how was it possible, in so many modest local contexts, to train generations of stonecutters, who could cut marble for use in building, or produce elaborate marble sarcophagi by the thousand?), or of artistic styles. But quarrying too is a fundamental aspect of the interaction of humans with the natural world, brilliantly explored, for instance, in a recently published “geological companion” to Greece.⁶

But sanctuaries, cemeteries, villages, and cities are of course not only the product of physical efforts and technological skills, but are expressions of the values and priorities of the societies which produced them, and can be “read” and interpreted in a way quite similar to the interpretation of written texts—which is, of course, to say also that, by the nature of interpretation, they can be “read” and interpreted wrongly, or at any rate in ways which have no defensible logical foundation. But here again, it would be futile and counter-productive to pretend that we either can, or should attempt to, “read” buildings and urban landscapes without doing so in the light of what is recorded of them in literary or documentary texts. Interpretation of physical remains in terms set by the ancient literary tradition has its dangers, of course, above all that of failing to distinguish what we are told in words from what is actually to be seen and encountered on the relevant site now.⁷ But the fact remains that some of the most successful advances in understanding during the past few decades have involved the interpretation of architectural complexes and of urban landscapes through the combination of literary, archaeological, and documentary evidence. One may think for instance of what is (very surprisingly) the first overall attempt to interpret the history, function, and meaning of the Athenian Acropolis and the buildings on it.⁸ But the prime case, extremely relevant to at least some of the essays in this volume, must be the study of ancient Rome itself. In terms of style of approach and of interpretation, the tone has been set by Filippo Coarelli, whose work is not essentially *archaeological*, in the sense of the excavation and analysis of objects, but interpretative, in combining very detailed topographical knowledge, and a profound sense of place, with the use of written evidence. This, above all, has brought the Roman Forum to life as never before.⁹ In parallel with this has come the new direction given to the study of Roman history by the combination of history, architectural history, art history,

iconography, and topography in Paul Zanker's classic work on the power of images in the reign of Augustus.¹⁰ This approach has now found its most systematic expression in the triumphant production, all within the last decade of the century, of the six volumes of Margareta Steinby's *Lexicon Topographicum* of the city of Rome.¹¹

If the reader were to look at the articles collected in this volume in the order of the dates of their original publication, and not, as they are in fact arranged, in the chronological order of the subjects which they cover, he or she would see at least a pale reflection of the revolution of perception which has affected Roman history. That is to say, the earlier papers are wholly dependent on written evidence, literary or documentary, and show absolutely no sense of the physical or symbolic environment against which the narrative of Roman history is set. I hope at least that the reader would detect a change in the mid-1980s, as a direct consequence of a month spent in 1983 at the British School in Rome, walking around the city with Filippo Coarelli's *Guida Archeologica di Roma* in hand. The effect is (I hope) clearly visible in chapter 4, "The Political Character of the Classical Roman Republic, 200–151 B.C.," and chapter 12, "State and Subject: The Impact of Monarchy," both published in 1984.

The latter essay makes some allusions to numismatic evidence and uses the excellent British Museum pamphlet on Augustus, published in 1981.¹² But here the scene has been completely transformed in the 1990s by the publication of a work whose significance has perhaps still not been fully felt. I refer to the first volume of *Roman Provincial Coinage*, covering the period 44 B.C.–A.D. 69.¹³ Now for the first time, it is possible to "read" the images and the written legends presented by the entire range of local coinages in the Graeco-Roman world over the crucial period of the establishment of monarchic rule in Rome. The coinages of the different local communities reveal at once the transformation of the symbolic landscapes—even, one might say, the "imagined communities"—to which they now belonged: each community representing itself as something with an independent political identity; but nearly all explicitly reflecting the existence at the centre of a single ruler, whose image is reproduced almost everywhere.

To collect and display the coins in this way is, of course, deliberately to give priority to their explicit messages, expressed in words and in images. But, to revert to a theme touched on earlier, coins, like other physical products of ancient societies, belong in

several different fields of enquiry. Once again, there is the human interaction with the physical world: the mining, smelting, and transport of base metals, silver or gold; and then the design of type faces, and the production of the coins (one should not say production by a *mint*, or still less “by the mint of city x,” for no one can define what, if anything, a “mint” in antiquity was). But there is also the question of volume of production, of circulation, and, beyond that, the problem of whether we should see economic relations at all levels in the Graeco-Roman world as having been monetised.¹⁴ “Monetised” will mean two things, not entirely identical: the expression of value in terms of coin (“two denarii,” “one million sesterces”); and the question of whether everyone had access to coins in circulation, with which they would make payments. These issues arise in a profound way and are very far from being solved, as regards the extraction of value by the Roman state in the form of taxation, and its subsequent redeployment, mainly in payments to soldiers. How far were these obligatory exchanges of value conducted by the use of coin?¹⁵ Moreover, given that there was no paper money, and no system of credit transfer on paper, and that therefore the physical transport of coin around the empire was necessary, how was this achieved? This issue brings us back once again to the evolution of physical resources and capacities: the construction of wheeled waggons, and the employment of animals for traction; and the role of shipping for official transport, as well as for wider economic exchanges.

Some brief remarks on the minting and redistribution of coins are made in another essay, “Cash Distributions in Rome and Imperial Minting,” which appears for the first time in English as chapter 7 of volume 2. But in general it would have to be acknowledged that the work collected in these three volumes does not deal with the physical bases of human life in Graeco-Roman antiquity, or with economic history, or with state finance, in the sense of the exchange of value between subject and state. The only, partial, exception is that one essay, chapter 9, in this volume, “The Mediterranean and the Roman Revolution: Politics, War, and the Economy,” does sketch some aspects of how this exchange worked in the erratic, violent, and fluctuating circumstances of the end of the Roman Republic.

War was in fact endemic in the Graeco-Roman world until we reach the Roman Empire. This was true of the Greek city-states, as it was of what in effect was an under-recognised category of city-states, those of Italy in the first millennium B.C. War was certainly endemic in all the

“barbarian” societies which bordered on the Graeco-Roman area, as it was equally in the Persian Empire and the Phoenician-Punic world of the central and western Mediterranean in the period up to the achievement of Roman domination in the second century B.C. As a masterly article by Michel Austin has shown, military ambition was integral also to the nature of the Hellenistic kingdoms.¹⁶ Discussion of Roman imperialism in the Republic, fundamental though some recent studies have been,¹⁷ has perhaps not been conducted with sufficiently explicit attention to the fact that the Romans were not the only imperialists who were currently active: Pyrrhus, Hannibal, Philip V, Antiochus III, Mithridates, Tigranes of Armenia, and Cleopatra were all in the business of the active expansion of the areas under their control. It is certainly the case also that, if we look at “the Greek city” as a political and communal structure, far more attention has gone to the citizen as voter, official, or juror than to the citizen as soldier.¹⁸

But all ancient political communities were in fact by their nature military organisations, and it is one of the most significant aspects of the originality of Polybius that, in thinking about the Roman *politeia* in book 6, he gives a large amount of space to the organisation of the Roman army. I have been as guilty as most others of not wanting to make wars and armies the focus of my attention; and, insofar as military history and military structures play any part in these volumes, it is more as a general context than as serious topics in their own right. But, it should be emphasised here that, right down to the battle of Actium, not just the major powers but, as it seems, every small community within their shadow had to be prepared to exert itself in its own defence.

In default of any other serious attention to military history, I would like to suggest that we ought at least to ask ourselves whether it is not the battle of Actium (rather than, say, the conquests of Alexander and the emergence of the Hellenistic monarchies) which marks the most significant turning point in the history of the Greek city-state. For up to Actium (it seems) Greek cities might still be under the necessity to produce military or naval forces, for their own protection or in the service of others; but after Actium (or so it seems) this essential communal function simply vanishes, at least until the drastically changed circumstances of the third century. A similar change, of immense importance, was one of the most profound consequences of the Social War of 90–87 B.C., and of the extension of Roman citizenship to all the communities of Italy. For this was the moment at

which the allied communities of Italy, and the *coloniae Latinae*, ceased to provide and pay for their own contingents for the Roman army. Instead, their men were drafted into the Roman legions. I will return to this theme very briefly later, in looking more closely at the topic of the chapters in this volume, Roman history of the Republican and Augustan periods. But it will be worth noting here that the military and naval roles of Greek *poleis* in the late Republic on the one hand, and of Italian *civitates* up to the Social War, but not after, are specifically compared by Cicero in the fifth Verrine oration, written in the summer of 70 B.C.¹⁹ So far as I know, no provincial governor under the Empire had the specific opportunities for malpractice which his deployment of ships provided by the Greek cities of Sicily offered to Verres. One key element in the relations between provincial communities and the ruling power had changed, and at the same time (as it seems) the military role of the self-governing community had disappeared.

That role has never been fully explored, nor have the consequences of its end been examined. I stress it here only to emphasise that I believe it to be important, and also (once again) to indicate that it is not among the topics covered in the chapters of this volume, or, in any significant way, in the two following ones.

The subject of all three volumes could be summed up as the communal culture and civil government of the Graeco-Roman world, essentially from the Hellenistic period to the fifth century A.D. In one sense at least, as the author of the articles and review articles assembled as chapters in these three volumes, I have to admit that both the questions asked in them and the material deployed to answer these questions are traditional and even old-fashioned. They show expertise neither in the biological and demographic history of mankind over the seven or eight centuries concerned, nor in the material evidence, nor, except in a very modest and peripheral way, in urbanism, architecture, or visual imagery. The evidence used is fundamentally that provided by words, whether literary texts reaching us through medieval manuscripts, or original documents, inscriptions above all, but also papyri and coin legends. If any originality can be claimed, it is not as such in the type of material used, namely the written word, but in the extension of the cultural and linguistic range of the written words concerned, to cover Jewish literary sources and documents in Greek, Hebrew, and Aramaic, as well as material in other Semitic languages—for instance, Palmyrene and Nabataean

inscriptions, and Syriac documents (inscriptions and parchments) and literary texts. But the theme of the co-existence and interpenetration of cultures and traditions in the Near East, of the interpretation of classical and Jewish traditions, and of the early stages of Arab self-identification in terms of descent from Abraham, belongs in volume 3. For the moment, it will be enough to call attention to an article by Hannah Cotton, Walter Cockle, and myself, which it was not appropriate to include in these volumes, and which surveys the papyrology of the Near East in the imperial period.²⁰ It may be worth noting that the texts listed there include examples in Latin, Greek, Hebrew, Jewish Aramaic, Nabataean, Palmyrene, and Syriac. To me, it must be said, the Near East represents the most significant part of my work, and, if fate allows, I hope after all to return to its history in the period between Constantine and Mohamed.

Within the strictly Graeco-Roman sphere, and accepting that the articles collected here derive fundamentally from written material, literary and documentary, it would also have to be admitted that many major themes of contemporary historiography have found no place, or very little: pagan religion, magic, women's history or gender studies, or the history of medicine, either as an applied art, or as encompassing a significant proportion of the literary texts surviving from antiquity, or as containing immensely important material, both for social history and for ancient conceptions of the body and the human self.²¹ On reflection, there are not many excuses for this. For, unexpected as it may seem, when I began graduate work in 1958 under the late Sir Ronald Syme, with the idea of writing a thesis on Cassius Dio,²² the first work I was told to read was the classic article of 1905 by J. Ilberg, "Aus Galens Praxis."²³

Ronald Syme was an inspiring supervisor, to whom I owe an enormous debt. But I cannot pretend ever to have been consumed by his passion for prosopography and the history of families, in either of its two main manifestations. One was the study of careers in the imperial period, above all as recorded in thousands of honorific inscriptions. The other main manifestation was, of course, in the political history of the Republic and the Augustan period, and the focus which has been of central importance in the writing of classical Roman history throughout the twentieth century on the Senate and on the "nobility," or "aristocracy," which was believed to have dominated it, and which in the end compromised with remarkable ease with the monarchic regime of Augustus.²⁴

Here, to come finally to the specific subject matter of this volume, it is obvious that my work on Roman history has, broadly speaking, taken not merely a different direction from that of Ronald Syme, but in many respects one which runs directly counter to his. In case it needs saying, this has never been seen by me, and was never seen by him during his life, as representing any sort of personal challenge or conflict. So far as he was concerned, as he always made clear, if someone had something to say, that was fine, and all the more so if what was written showed some sense of style or of the capacity for structure and composition. So far as I was, and am, concerned, I could never hope to achieve a masterpiece of literary composition like *The Roman Revolution* (finished, it may be noted, when its author was thirty-five), am not a classicist in anything like the same sense, and suffer from the further crippling disadvantage that I find it impossible to remember details of family relationships and genealogy. I only trust that my turning away from interpretations resting on such relationships has been motivated by something more profound than simply not being able to remember who was whose cousin, or nephew, or brother-in-law.

There are however two very important aspects of *The Roman Revolution* in respect of which I would like to think that there is some continuity, rather than a sharp break. One is the intention to see Augustus and his reign very specifically through the literature of the period, and through the precise vocabulary in which views of it, by followers or by more detached observers, were expressed. The other was—in spite of Ronald Syme’s reputation as a passionate observer of the “aristocracy”—to widen enormously the cast of characters who could be perceived as having been participants in the Roman “revolution,” by bringing in the minor figures, down to centurions or local town councillors, mentioned in passing in literary sources or recorded on inscriptions, who played a part in the march of events, and perhaps gained, for themselves or their descendants, a place in the upper levels of Roman society. How many other books on the political history of the late Republic have found a place (*Roman Revolution*, 354) for “T. Flavius Petro, from Reate, a Pompeian veteran”? This was, of course, the grandfather of the emperor Vespasian.²⁵

This sense of a wider social range, and of the innumerable different petty localities from which men might come to play a part in the wider Roman system, is a major development in Roman history in the

twentieth century, expressed for instance in Claude Nicolet's first great work, on the equestrian order under the Republic,²⁶ and later in Ségolène Demougin's remarkable study of the same status group under the Julio-Claudians.²⁷ Who would have imagined that our evidence would reveal the names of no less than 770 *equites* of that period?

The stage on which what we think of as "Roman history" can be seen being played out has thus become incomparably more populated than could possibly have been the case before the composition of the great works of prosopography which began in the late nineteenth century. This is not the place to list these, except perhaps to note the inception and completion of the *Prosopography of the Later Roman Empire*, covering the period from A.D. 260 to 641, begun soon after the Second World War, and reaching its last entry, "Zudius", in volume IIIB, published in 1992.²⁸

Reference works in the field of prosopography, whether structured alphabetically, person by person, or as lists of office-holders, are an indispensable tool, which we now almost take for granted. But they can of course lead to an overestimate of the importance of the occupation of office, and can at the worst embody unquestioned assumptions which tend to equate the pursuit of office with the entire political process in the community concerned. The danger is even greater when the study of which individuals—or of which families over successive generations—held office is projected back into a period from which there is no contemporary literary or documentary evidence. In spite of the superlative scholarship displayed in Friedrich Münzer's great work of 1920 on Roman noble "parties" and families, now translated for the first time into English,²⁹ and while doing honour to the tragic personal history of Münzer himself in the Nazi period,³⁰ it ought in my view to be acknowledged that the book served to stimulate a curiously distorted manner of "seeing" Roman republican history, and of interpreting the narratives of it which we have, which was to dominate the study of republican history for at least the next half century.

Of course the emphasis on competition for the consulship in Münzer's work was not gratuitous, for it followed the lead given by our narrative sources themselves and, very notably, by the two great Augustan inscriptions, the *Fasti Consulares* and the *Fasti Triumphales*, which literally set in stone a certain view of the Roman past, in listing all those who had held triumphs, back to Romulus himself, and all the pairs of consuls since the foundation of the Republic. But to say that is

to say that *as texts* these inscriptions are every bit as much ideological representations of the Roman past as Livy's *History*, or Ovid's *Fasti*, or the last part of Ovid's *Metamorphoses*. As a *text*, the all-too-perfect listing of the supposed holders of the consulate in the fifth century B.C., each equipped with the *praenomen* of both his father and his grandfather, deserves to be studied as a literary construct, not as a documentary record; and *as inscriptions*, as Margareta Steinby's study of the east side of the Forum showed, everything is uncertain about the original location, the conception, the date, and the function of both sets of *Fasti*.³¹

There is thus an organic connection between the *Fasti*, as a product of Augustan—or rather, in origin, pre-Augustan—culture, politics, and antiquarianism, and a great modern work like T. R. S. Broughton's *The Magistrates of the Roman Republic*. The one leads to the other, and both represent choices in the construction of the past. As for the early Republic, the alleged sequences of named holders of major offices are an unreliable basis for historical reconstruction. For the later Republic we can accept that the data are essentially reliable. But they represent only one aspect of the political history of the wider community of Romans.

There is also another important aspect of prosopography which has played a large part in twentieth-century writing on Rome, and which is also directly rooted in the Romans' perceptions of their own history. I mean by this the study of the very distinctive and important theme in Roman history and historiography, by which the category of "Romans" was not closed, but was repeatedly expanded to include ever wider groups, not forgetting all slaves legally freed by Roman citizens. This theme is expressed most prominently in the famous inscription from Lyon recording the speech in which the emperor Claudius urged the Senate to take a positive attitude to the admission of leading men from Gaul (who were themselves, by definition, already Roman citizens) into the Senate. Such a policy had been an aspect of the history of Rome from the very beginning, Claudius explained; and, more recently, Augustus and Tiberius had wished to see "the whole flower of the *coloniae* and *municipia* everywhere, provided that they were respectable men and rich, in this *curia*."³² This theme came very quickly to appeal to the young "provincial" from New Zealand, Ronald Syme, decades before it bore fruit in his two-volume work on Tacitus, published in 1958. The proof of this was provided in 1999 in the form of the publication of the original text of

the study entitled *The Provincial at Rome*, which Syme had referred to, as begun but never completed, in the Preface to *Tacitus*. It bears the date 1934.³³

Such a prosopographical approach evidently formed an essential starting point for anyone who, like myself, began as a doctoral student under Ronald Syme, and (as it happens) in the same year as *Tacitus* was published. If we look at such an approach in the light of the much wider perspectives evoked earlier, the long-term demographic, institutional, medical, and geographical history of mankind, it will of course appear limited and conventional, closely tied to texts—literary or documentary—which are accessible only through an education in Greek or Latin. And, indeed, it not only *seems* relatively restricted, but is. Furthermore, a much wider approach—though nowhere coming close to the wider biological history of humans—had already been demonstrated before *The Roman Revolution* was published. By that I mean, of course, Rostovtzeff's *Social and Economic History of the Roman Empire*, first published in 1926. Once again, this is not the place to attempt to characterise Rostovtzeff's work in detail, or to evoke the very active and creative studies of him, both in Russia and in the West, in the 1990s.³⁴ But it is relevant to stress that Rostovtzeff brought into a narrative of imperial history, firstly, a vast range of physical evidence, visited in situ or inspected in local museums; and secondly, an equally vast range of local documentary evidence, above all inscriptions and papyri. In that way he exploited innumerable local “voices” or testimonies as evidence for the wider history of the Empire. But Rostovtzeff was not just assembling data, he was telling a story. But that story, we should frankly admit, was in itself a quite conventional one, of growing prosperity and stability in the Empire up to the Antonine age, followed by a military monarchy and the beginnings of anarchy in the third century; in short, it is precisely the story told in the last part of the *Roman History* of Cassius Dio.

Rostovtzeff's *History* was both the symbol and the first large-scale product of the revolution produced in the nature and scale of our access to the ancient world that had been made possible by the apparently dry labour of producing *corpora* of inscriptions and papyri, catalogues of coins, volumes of excavation reports, descriptions of buildings and categorisations of small finds which had gone on since the nineteenth century. Rostovtzeff's own interests also embraced, if in very varying degrees of intensity, the whole geographical area of the Roman Empire and (as regards Asia) far beyond it.

The range and variety of possible historical approaches to the ancient world is thus now incomparably greater than was possible even a century ago. An infinity of different emphases, or starting points, is possible, from studying the rhetoric of Cicero or the biblical exegesis of Saint Jerome, or examining the literary character of Tacitus' portrait of Tiberius, to assessing the organic remains from excavations as evidence for diet, surveying whole landscapes, excavating settlements, analysing the chemical composition of pottery, assembling the coins of a small Greek city, reading multilingual documents from the shores of the Dead Sea—or asking how, if at all, we can understand what we mean by “Roman” religion.

If I reflect on my own path within this trackless forest of possibilities, it is easy to see that the work done belongs very clearly, and fairly consistently, at a definable logical level. That is to say, it has been almost wholly dependent on verbal evidence, documentary and literary. But it nowhere approaches literary criticism in the proper sense, nor on the other hand has it been concerned with the initial publication of newly discovered documentary texts. The area of operation can thus be seen as stretching from strictly political history on the one hand, to political institutions and forms of behaviour, social values, and conceptions—and not least conceptions and expectations directed to rulers by those below them and in contact with them—to social life proper, in the sense in which it is accessible through literary and documentary texts. The arrangement of the studies in this volume, in the broad chronological sequence of the topics of periods covered, serves to obscure their chronological sequence in the other sense, the time of writing, which is not far from being the complete converse. That is to say, the earlier studies represented here focus on Augustus and his regime, and do so primarily through the medium of the way in which the new emperor, and his personal role, his form of government, and his actions, are conceptualised in contemporary literary and documentary texts. There is no need to rehearse any of this here. But I would wish to underscore one principle of method and one conclusion. The principle of method is in a sense a democratising one, or at any rate is concerned with seeing the imperial rule through the eyes, or at least the words, of as wide a geographical and social range of his subjects as the evidence allows. Put another way, it affirms that “the emperor,” conceived of as the addressee of a letter and decree of a Greek city, to be borne to him by ambassadors, is at least as validly the “real” emperor as the one represented in a later Latin narrative.

The one conclusion which may be worth re-stating here is that nothing anywhere in the evidence justifies the idea that it was ever claimed officially that Augustus had “restored the republic” in the sense of re-creating a republican system. It was, of course, claimed that the *res publica* had been *restituta*; but that is not the same thing. If anyone had wished to claim that Augustus had given up personal power, they might have said that the *res publica* had been *reddita* by him. But they did not, and could not have; and one of the most well-placed and well-informed of Augustus’ contemporaries, the geographer Strabo, said unambiguously the exact opposite: that “his native land entrusted to him the care of the government, and he was established for life as master of war and peace.”³⁵

The studies of the Republic in this volume have a rather different origin. One aspect of it has been touched on already: the experience of absorbing a sense of the topography of Rome in 1983. Otherwise, this sequence of studies of republican politics, culminating in my book on the crowd in Rome,³⁶ have a very different character from most of the rest of my work. For what is precisely lacking so far in our evidence for the Republic is, on the one hand, a mass of local documents expressing the identity and concerns of subordinate participants in a wider structure; and, on the other, a range of contemporary literary works written by observers who were not themselves at the heart of events. It is frustrating in many ways that the most explicit, detailed, and immediately revealing contemporary documents for republican history tend to come from the Greek East,³⁷ and among these an important place must go to the late Republican and Triumviral texts from Aphrodisias.³⁸ Also, major new documents remain to be fully studied: for instance, the extensive inscription on *portoria* from Ephesos; and, above all, the last legacy of the great Louis Robert, namely the two long inscriptions of leading citizens from Colophon who acted as intermediaries between their city and the Roman authorities in the early decades of the province of Asia.³⁹

These texts, of immense potential value, have (surprisingly) not been studied in great detail in the decade since their original publication. But what they serve to emphasise is also, by contrast, the dearth of literary and documentary “voices” from inside republican Italy—and, paradoxically perhaps, an even greater dearth from inside Rome itself. This is the great weakness of republican history, in spite of its endless fascination, the powerful narratives which record it, and the profound nature of its impact on the outside world, from Britain to

Mesopotamia. It is also the reason why the influence of anthropology has not been felt in Roman history as it has in Greek. For, in order to be able to borrow (as we should) approaches developed in social anthropology, we require a society to apply them to, or at least one which we can convince ourselves that we can in some sense observe and understand. But when we speak of “Roman” society, what do we mean? The inhabitants of the city, about whose life we know almost nothing? Or of the *vici* which surrounded it? Or the citizen farmers occupying the territory stretching north across Italy to the Adriatic, or south-east to Campania? Or the people of small, ancient urban centres and political communities like Arpinum, enjoying a full dual citizenship, Roman and local, after 188 B.C.? The truth is that there is not even one of these several very contrasting component elements of the Roman citizen body of before 90 B.C. of which we can gain any serious conception at all.

This problem shows up perhaps most clearly of all when we discuss “Roman religion”—or “the religions of Rome,” as a remarkable and important recent work puts it.⁴⁰ For even this book concentrates on the evolution of cults and religious practices in the city of Rome itself. But what of the cults of Tusculum, or of the Sabine county, or Picenum? What temples were there in Arpinum, how were priests chosen, what was the form of their religious calendar? Even more profoundly, our view of Roman religion, in spite of the fact that most Roman citizens must have lived by agriculture, fails to give a central place to the offerings and prayers which a farmer was advised to carry out if he wanted his crops to flourish. Indeed, we hardly have any impression of the religious practice of agriculture at all except from Cato’s *De agri cultura*. One example will suffice.⁴¹

The following is the Roman formula to be observed in thinning a grove: A pig is to be sacrificed, and the following prayer uttered: “Whether thou be god or goddess to whom this grove is dedicated, as it is thy right to receive a sacrifice of a pig for the thinning of this grove, and to this intent, whether I or one at my bidding do it, may it be rightly done. To this end, in offering this pig to thee I humbly beg that thou wilt be gracious and merciful to me, to my house and household, and to my children. Wilt thou deign to receive this pig which I offer thee to this end?”

If you wish to till the ground, offer a second sacrifice in the same way, with the addition of the words: “for the sake of doing this work.” So long as the work continues, the ritual must be performed in some

part of the land every day; and if you miss a day, or if public or domestic feast days intervene, a new offering must be made.

The effect of the limited nature of the evidence for the republican period, therefore, is that, instead of having the evidence to write a social history, in the light of which we could interpret the political narratives which we have, we have to use those narratives themselves (together, in Cicero's time, with speeches, and the narratives contained within them) to construct a picture of the constitutional structure of the *res publica*, of the political relations which lay behind voting and elections, and of the structure of Roman society itself. Cato is exceptional in speaking of the religious life of the countryside at all. But it is typical that we owe even this testimony to the pen of an ex-consul writing for contemporary upper-class landowners.

If such limitations affect our knowledge of "Roman" society, in or near the city and out in the countryside and in small towns, it is even more true of the "Latin" communities of old Latium and of the *coloniae Latinae*, or of the very diverse groups who came under the heading of *socii* or *foederati*. What we can at least perceive through our narrative sources is in fact something very remarkable, namely the fact that the Italian peninsula in the republican period was a world without kings or hereditary aristocracies or castles. If we only had the evidence, republican Italy would claim a place, just as much as classical Greece, in the history of the self-governing city-state. It could not, of course, be proved that every Italian community had a functioning "constitution" and annual magistrates. But the progress of Italic epigraphy and the work of M. Cébeillac-Gervasoni and others has allowed us at least glimpses of these magistrates in office over large parts of the peninsula.⁴² None the less, we are still a long way from being able to "see" any Italian communities (Roman, Latin, or federate) from inside, or to understand what changes the extension of the Roman citizenship after the Social War will have brought about. One of these is mentioned earlier: the end of the military role of Latin and federate *civitates*, and the enrolment of their young men into the Roman legions. It is frustrating that it remains the case that the new situation of Italy, as something which approximated to a nation-state—what Augustus, looking back to 32 B.C., was to call "tota Italia"—is still best grasped through local copies of *leges* passed by the people in Rome, or, in the case of the Tabula Heracleensis, of a local compilation, then inscribed, of sections from different laws passed in Rome. None the less, the work done on these documents in recent

years is of primary importance.⁴³

With the reigns of Augustus and Tiberius, we suddenly enter a world where, in a certain sense, our evidence is transformed in scale and in the richness of the meanings which it conveys. This is true, clearly enough, of literature, both Latin and Greek; of the explosion of “the epigraphic habit,” also in both Latin and Greek; and, as mentioned earlier, of the huge range of local coins mirroring the predominance of the distant and largely unseen emperor. Even if “Augustan” literature hardly reveals to us the life of the broad masses of the population, its complexity as a cultural, ideological, and political product is sufficient to ensure that interpretation and reinterpretation will never run dry.⁴⁴ Moreover, this is one field of study which is truly “inter-disciplinary,” in the sense that physical and iconographic evidence, along with a flood of epigraphic material, can be brought into conjunction with the literary sources. It is also no surprise that we have ever more epigraphic “sidelights” on the imperial regime from the Greek world, from the relations of Miletos to Augustus, to a Bosporan king thanking one of the Greek cities of his kingdom for maintaining tranquillity while he was off to Rome to see the emperor.⁴⁵ But now older elements in the Latin epigraphic record—for instance, the two inscriptions from Pisa which give us the first detailed picture of the politics of a *colonia*—are now joined by long texts, composed in Rome, but dutifully inscribed in Italy or Baetica, which completely renew our sense of the institutions of Rome under the emperors, of contemporary conceptions of the Empire (themes touched on in chapters 15 and 16 in this volume), of the tone and language of deferential politics in a monarchic setting, and of the machinery of communication to Rome’s subjects. I refer of course to the two new, infinitely rich and complex, Latin epigraphic texts, the *Tabula Siarensis* and *Tabula Hebana* (overlapping epigraphic copies of a single original text), and the *Senatus Consultum de Cn. Pisone patre*.⁴⁶ I am not sure whether to be encouraged or discouraged by the reflection that nearly all of what I have written on the early imperial regime will have to be read in future as pre-dating the new era created by these texts.

In “inscriptions” such as these, the barrier between “literature” and “documents” essentially dissolves, and we are forcibly reminded that all documents, even the most apparently simple (which these are decidedly not), are constructs with a logic and rhetoric of their own. But that reflection brings us back to the central point of the

observations in this prologue. That is to say that what we are pleased to call “ancient history” is meaningful and intelligible to us precisely because it is so recent, and because we are in every sense so close to it. Above all, a huge and ever-growing stock of words written in classical antiquity, in scripts and languages which have remained fully accessible ever since, is available for us to read. Much the same is true of the art and iconography, the coins with legends and images, and the architectural styles and the urban plans which characterised Graeco-Roman civilisation. That may seem rewarding, and in many senses it is, above all if we take within our view also Jewish tradition, culture, and belief, and follow the emergence of Christian monotheism from within the context of Graeco-Roman paganism. But all this profusion of evidence necessarily tends to obscure from us the fact that what we can encounter by these means is the history of a culture, rather than the whole history of a human society, or rather of a set of linked societies, over many centuries. In the present state—and all imaginable future states—of our knowledge of human history in the long period and the varied regions which we label the “ancient” or “classical” or “Graeco-Roman” world, we just have to accept that a very large part of it is beyond our grasp. But what we can grasp is enormously rich and varied, and increasing every day.

Fergus Millar

NOTES

1. J. Diamond, *Guns, Germs and Steel: A Short History of Everybody for the Last 13,000 Years* (1997).

2. See Peter Garnsey, *Famine and Food Supply in the Graeco-Roman Cities* (1988); *Cities, Peasants and Food in Classical Antiquity: Essays in Social and Economic History* (1998); *Food and Society in Classical Antiquity* (1999).

3. J. M. Frayn, “Wild and Cultivated Plants: A Note on the Peasant Economy of Ancient Italy,” *JRS* 65 (1975): 32; *Subsistence Farming in Roman Italy* (1979); *Sheep-Rearing and the Wool Trade in Italy during the Roman Period* (1984).

4. Galen, *On the Properties of Foodstuffs* I–III (*De alimentorum facultatibus*), *Opera*, ed. Kühn, VI, 453–748 (1823). See V. Nutton, “Galen and the Traveller’s Fare,” in J. Wilkins, D. Harvey, and M. Dobson, eds., *Food in Antiquity* (1995), 359.

5. M. Beagon, *Roman Nature: The Thought of Pliny the Elder* (1992);

note also R. French, *Ancient Natural History: Histories of Nature* (1994).

6. M. D. Higgins and R. A. Higgins, *A Geological Companion to Greece and the Aegean* (1996).

7. The fact that the book maintains this distinction with such firmness and clarity is one of the many merits of Amanda Claridge's excellent *Rome: An Oxford Archaeological Guide* (1998).

8. J. M. Hurwit, *The Athenian Acropolis: A History, Mythology and Archaeology from the Neolithic Era to the Present* (1998).

9. F. Coarelli, *Il Foro Romano I–II* (1983–85).

10. P. Zanker, *Augustus und die Macht der Bilder* (1987), translated as *The Power of Images in the Age of Augustus* (1988).

11. E. M. Steinby, ed., *Lexicon Topographicum Urbis Romae I–VI* (1993–99).

12. Susan Walker, *Augustus: Handlist of the Exhibition and Supplementary Studies* (1981).

13. A. Burnett, M. Amandry, and P. P. Ripollès, *Roman Provincial Coinage I.1–2: From the death of Caesar to the death of Vitellius (44 B.C.–A.D. 69)* (1992). See now also the second volume, A. Burnett, M. Amandry, and I. Carradice, *Roman Provincial Coinage II.1–2: From Vespasian to Domitian (A.D. 69–96)* (1999).

14. For a few key studies, see, e.g., K. Hopkins, "Taxes and Trade in the Roman Empire (200 B.C.–A.D. 400)," *JRS* 70 (1980): 101; C. J. Howgego, "Why Did Ancient States Strike Coins?," *Num. Chron.* 150 (1990): 1; "The Supply and Use of Money in the Ancient World," *JRS* 82 (1992): 1; *Ancient History from Coins* (1995).

15. See R. Duncan-Jones, *Structure and Scale in the Roman Economy* (1990), chap. 12: "Taxation in Money and Taxation in Kind."

16. M. M. Austin, "Hellenistic Kings, War, and the Economy," *CQ* 36 (1986): 450.

17. Note esp. W. V. Harris, *War and Imperialism in Republican Rome, 327–70 B.C.* (1979; repr. 1985); W. V. Harris, ed., *The Imperialism of Mid-Republican Rome* (1984); J. Rich and G. Shipley, eds., *War and Society in the Roman World* (1993).

18. Note however L. A. Burkhardt, *Bürger und Soldaten: Aspekte der politischen und militärischen Rolle athenische Bürger im Kriegswesen des 4. Jahrhunderts v. Chr.* (1996).

19. Cicero, *Verr.* II 5, 60. The passage is translated in chapter 8 in this volume, "The Last Century of the Republic: Whose History?"

20. H. M. Cotton, W. E. H. Cockle, and F. G. B. Millar, "The Papyrology of the Roman Near East: A Survey," *JRS* 85 (1995): 214.

21. Note esp. H. King, *Hippocrates' Woman: Reading the Female Body in Ancient Greece* (1998).

22. *A Study of Cassius Dio* (1964; repr. 2000).

23. J. Ilberg, "Aus Galens Praxis," *Neue Jahrbücher für das Klassische Altertum* 15 (1905): 276.

24. See, of course, the remarkable, and somewhat undervalued, work of Syme's old age, *The Augustan Aristocracy* (1986).

25. Suetonius, *Div. Vesp.* 1.

26. C. Nicolet, *L'ordre équestre à l'époque républicaine, 312–43 av. J.-C.* I–II (1966–74).

27. S. Demougin, *L'ordre équestre sous les julio-claudiens* (1988); *Prosopographie des chevaliers romains julio-claudiens* (1992).

28. A. H. M. Jones, J. R. Martindale, and J. Morris (eds.), *The Prosopography of the Later Roman Empire* I: A.D. 260–393 (1971); J. R. Martindale, ed., II: A.D. 395–527 (1980); III A–B: A.D. 527–641 (1992).

29. F. Münzer, *Römische Adelsparteien und Adelsfamilien* (1920); translated by Thérèse Ridley, *Roman Aristocratic Parties and Families* (1999).

30. See the very moving account by A. Knepe and J. Wiesehöfer, *Friedrich Münzer. Ein Althistoriker zwischen Kaiserreich und Nationalsozialismus* (1983).

31. E. M. Steinby, "Il lato orientale del Foro Romano. Proposte di lettura," *Arctos* 21 (1987): 139; see pp. 156–57 on the Fornix Fabianus. This article is not discussed in the otherwise excellent article of C. J. Simpson, "The Original Site of the *Fasti Capitolini*," *Historia* 42 (1993): 61. Between them, the two essays show very clearly how the study of both inscriptions needs to be undertaken *de novo*.

32. *ILS*, no. 212.

33. Ronald Syme, *The Provincial at Rome and Rome and the Balkans, 80 B.C. to A.D. 14*, ed. Anthony Birley (1999).

34. Note esp. the excellent introduction by Jean Andreau to the French translation, *Histoire économique et sociale de l'empire romain* (1988); and also the papers and documents edited by G. Bongard-Levin, *Skifskii Roman* (1997).

35. Strabo, *Geography* XVII, 3, 25 (840). See now K. Clarke, *Between Geography and History: Hellenistic Constructions of the Roman World* (1999).

36. *The Crowd in Rome in the Late Republic* (1998).

37. Note R. K. Sherck, *Roman Documents from the Greek East: Senatus Consulta and Epistulae to the Age of Augustus* (1969).

38. J. M. Reynolds, *Aphrodisias and Rome* (1982).

39. For the *monumentum Ephesinum*, see still H. Engelmann and D. Knibbe, *Das Zollgesetz der Provinz Asia. Eine neue Inschrift aus Ephesos* (*Epigraphica Anatolica* 14, 1989); *SEG* XXXIX, no. 1180; *AE* 1989, no. 681; and for the inscriptions of Polemaios and Menippos, see Louis Robert and Jeanne Robert, *Claros I: décrets hellénistiques*, fasc. 1 (1989), with J.-L. Ferrary, “Le statut des cités libres dans l’Empire romain à la lumière des inscriptions de Claros,” *CRAI* (1991): 217. A full commentary is still needed.

40. M. Beard, J. North, and S. Price, *The Religions of Rome I–II* (1998).

41. Cato, *De agri cultura*, 139–40 (Loeb trans.).

42. See, e.g., P. Poccetti, *Nuovi documenti italici* (1979); A. Morandi, *Epigrafia Italica* (1982). See M. Cébeillac-Gervasoni, ed., *Les “bourgeoisies” municipales italiennes aux II^eet I^{er} siècles av. J.-C.* (1983); *Les élites municipales de l’Italie péninsulaire des Gracques à Néron* (1996); *Les magistrats des cités italiennes de la Seconde Guerre Punique à Auguste: le Latium et la Campanie* (1998).

43. All the relevant texts are re-edited, translated, and commented on in M. Crawford, ed., *Roman Statutes I–II* (1996).

44. Note, for instance, K. Galinsky, *Augustan Culture: An Interpretative Introduction* (1996).

45. See P. Herrmann, “Milet unter Augustus. C. Iulius Epikrates und die Anfänge des Kaiserkults,” *Ist. Mitt.* 44 (1994): 203; H. Heinen, “Zwei Briefe des bosporanischen Königs Aspurgos (*AE* 1994, 1538),” *ZPE* 124 (1999): 133.

46. For the *Tabula Siarensis* and the *Tabula Hebana*, we can now refer to the edition in M. Crawford (n. 43), no. 37/8. It remains the case that the joint text still needs detailed study from many points of view—linguistic, institutional, cultural, and political. For the *Senatus consultum* all that is already provided, in the exemplary publication by W. Eck, A. Caballos, and F. Fernández, *Das Senatus Consultum de Cn. Pisone Patre* (1996), with the review article by M. Griffin, “The

Senate's Story," *JRS* 87 (1997): 249, and the special issue of the *American Journal of Philology*, edited by C. Damon and S. Takács, *The Senatus Consultum de Cn. Pisone Patre*, *AJPh* 120, no. 1 (1999).

PART I
Conceptions and Sources

CHAPTER ONE

Taking the Measure of the Ancient World



Almost exactly forty years ago, I was in my last term at a Scottish public school on the shores of the Firth of Forth, where the climate would have made that of Durham, by comparison, seem positively tropical, and the boys were prevented from freezing only by being permanently occupied in playing rugby football. But, fundamental as rugby football (“rugger” in common language) was to the ideology of the school, even I was surprised when the then head boy approached me, and said in despairing tones: “Millar, I get depressed sometimes. There are *some* people in this school who think that rugger is just something like Latin, which you never *think* about except when you’re doing it.”

I do not tell this story in order to mock my own origins. For one thing, in a world where we can be told by our prime minister that there is “no such thing as society,” the values of “team spirit” and mutual responsibility which Loretto really did instil now seem less self-evident, and more important, than they might have done. Secondly, when, with the onset of the second infantilism common to middle-aged gentlemen, I came back years later to watching international rugger matches, I realised that the head boy had been right, on one side at least: we *had* just played and played, without actually thinking about how the game might be played better.

So, thirdly, might he have been right also in implying that Latin was also something which one tended just to “do,” and that we do not always ask ourselves what our subject is, what it really amounts to, or how are we or our pupils might best approach it? This is the opportunity which I would like to take now: not, at least in the first instance, by way of self-questioning and self-criticism, but rather the opposite. By defining what our subject amounts to, we might also remind ourselves, and others, just how vast its scope is.

Let me begin by offering a possible definition: classics is the study of the culture, in the widest sense, of any population using Greek and Latin, from the beginning to (say) the Islamic invasions of the seventh century A.D.

Since Michael Ventris’ decipherment of Linear B, “the beginnings”

ought of course to cover the later second millennium B.C.; and certainly we can on no account leave the late Bronze Age out of our conception of Greek history. None the less, we could still choose to treat that as a sort of Greek “prehistory,” and to take the decisive beginning as falling in the eighth century B.C. To do that would be to use two interrelated markers: the appearance of the earliest scraps of writing which are not only in Greek but in the Greek alphabet; and the works of Homer and Hesiod.

Whether we ought, or ought not, to talk of a real, historical world of Homer (following M. I. Finley’s brilliant *The World of Odysseus*), it remains very important that a remarkable range of the basic features of Greek culture and Greek social and political life is already represented for us in the poems of Homer: a multiplicity of gods and goddesses; sacrifices offered to them; temples; cities, and newly founded “colonial” cities; war; competition; honour; oratory; popular assemblies; competitive sport. Thus the history of European sports journalism begins, very appropriately, with *Iliad* 23, and a famous row as to whether victory in a chariot race had been legitimately won. (Perhaps, in view of the farce of the Grand National in 1993, the Classical Association could offer a prize for fifty lines of Homeric hexameters describing a race which never got started because some deity maliciously dulled the wits of the officials?).

But if we are to begin with Homer, it is absolutely essential not to let that mislead us into thinking of “Greek history” as something which happened first, followed sometime after by “Roman history.” For the two histories and the two cultures were closely connected from the eighth century onwards, and became even more inextricably intertwined as time went on. Thus, we must recall that imported Greek vases were already reaching Rome around the notional, or legendary, date of its “foundation,” 753 B.C. And from around that time too we have the East Greek Geometric skyphos discovered on the island of Pithekoussai (Ischia), the earliest Greek settlement in the West, and not much over one hundred miles from Rome. The famous graffito written on it, “I [am] the cup of Nestor, good to drink from,” both reflects a knowledge of epic, and, being written from right to left, illustrates the (probably very recent) borrowing of the Greek alphabet from Phoenicia. Almost all that we can hope to know of the eighth-century Mediterranean is embodied in a single fragmentary pot.

We come, however, a great deal closer to early Rome with the krater of the following century found at Caere, a mere twenty miles

from Rome, painted with a scene showing Odysseus and his companions blinding Polyphemus; or, a century later again, with Herodotus' story (1, 167) of how a Greek *agōn* was instituted at Caere (Agylla) on the instructions of Delphi, in expiation for the murder of some Phocaean captives, and was still maintained in the next century. It is not merely that the early evolution of Rome took place within the orbit of Greek culture, as that the preconditions for the Romans' self-perception of themselves as descended from Aeneas existed almost from the very beginning.

From the archaic period onwards, we have to see Greek and Roman culture as evolving in parallel. Rome did lag behind, of course. Greek cities dotted the eastern and western Mediterranean, and the Black Sea, several centuries before Roman expansion began. Moreover, and crucially for our knowledge, Roman literature begins some five centuries later than Greek. The fact is more surprising than one might think. Rome of the late sixth century was already a major city, with at least one massive temple on the Capitol. And if the inscription, in an early form of Latin, on the Lapis Niger from the Forum is really of the mid-sixth century, then it is earlier than any known public inscription from Athens. Why a Latin literature did *not* develop before the third century B.C. is a real puzzle.

The moment when the two linked but separate histories do really start to become one is the late fourth century B.C. For Philip and Alexander's conquests, carrying Macedonian armies into Greece, and Greek-speaking armies all over the Near East, Egypt, Babylonia, Persia, and central Asia, are exactly paralleled by smaller-scale, but even more significant, developments in Italy. I mean the break-up of the Latin league in 338 B.C., and then half a century of wars against Samnites, Etruscans, Celts, and Greeks. Even before the Romans crossed the Straits of Sicily in 264 B.C., a long list of Greek cities had already come under Roman domination, and Rome was already a known power on the edges of the Greek world.

We do have to accept that both the interweaving of Greek and Roman culture and history, to produce a single "Graeco-Roman" world, and the vast extension of that world were produced by imperialism and colonisation. However complex the accompanying factors, and the mutual reactions between different cultural groups, it was, quite simply, imperialism and the desire for conquest which carried Greek culture to Afghanistan and northern India, and Graeco-Roman culture to Hadrian's Wall. As I am trying to stress, we have

everything to boast of in the sheer extensiveness, in space and in time, of Graeco-Roman culture. But in emphasising the importance of our field as a major part of human experience, we must not, just because both “imperialism” and “colonialism” are unpopular concepts in modern culture, falsify history by obscuring the fact that it was, in the first instance, war, conquest, and overseas settlement, both Greek and Roman, which created the vast and long-standing Graeco-Roman world.

As for that process itself, we do not need to follow all the details here. It will be enough to recall that the two major phases were indeed Alexander’s conquests in Asia in the later fourth century, and Roman conquest, in both the Greek East and what was to become the Latin West, which reached a decisive phase in the first century B.C.

From within the context of the imposition of Greek culture in Asia, it will be worth just picking out three areas where the consequences were particularly striking. The first is Egypt, which is given a particular significance by the survival of papyri. So, firstly, we can actually meet the settlers from the Greek world who established themselves there from the late fourth century onwards. Perhaps most notable of all, because so early, is the Greek papyrus of 311 B.C. from Elephantine, nearly six hundred miles south from the mouth of the Nile. The papyrus records a marriage contract between two Greek settlers:

In the 7th year of the reign of Alexander son of Alexander, the 14th year of the satrapship of Ptolemy, in the month of Dios. Marriage contract of Heraclides and Demetria. Heraclides takes as his lawful wife Demetria, Coan, both being freeborn, from her father Leptines, Coan, and her mother Philotis, bringing clothing and ornaments to the value to 1,000 drachmae, and Heraclides shall supply to Demetria all that is proper for a freeborn wife, and we shall live together wherever it seems best to Leptines and Heraclides consulting in common. . . . Witnesses: Cleon, Gelan; Anticrates, Temnian; Lysis, Temnian; Dionysius, Temnian; Aristomachus, Cyrenaean; Aristodicus, Coan.

More important, perhaps, because from now on until the Arab conquests Egypt was to be a bilingual land, in which both Egyptian and Greek were used, the tens of thousands of surviving papyri preserve for us a large, if erratic, cross-section of Greek literature, in which Homer predominates above all else. We can now read Greek (and a little Latin) literature, not as transmitted by medieval scribes, but as read in the ancient world.

The second area of immense significance was of course Judaea, for one of the long-term consequences of Alexander's conquests was to be that post-biblical Judaism, and of course early Christianity, would be formed within a Greek environment. Looking back from the end of the first century A.D., the great Jewish historian Josephus, writing in Greek the whole history of his people from the Creation to A.D. 66, was to incorporate a wonderful folk-tale, or (one might say) historical *novella*, about Alexander's visit to Jerusalem:

Then he went up to the temple, where he sacrificed to God under the direction of the high priest, and showed due honour to the priests and to the high priest himself. And, when the book of Daniel was shown to him, in which he had declared that one of the Greeks would destroy the empire of the Persians, he believed himself to be the one indicated; and in his joy he dismissed the multitude for the time being, but on the following day he summoned them again and told them to ask for any gifts which they might desire. When the high priest asked that they might observe their country's laws and in the seventh year be exempt from tribute, he granted all this.

We need not hesitate to say that the story as told is legend, for the Book of Daniel, in which this pseudo-prophecy does indeed appear (8:21), had not yet been written. It was to be composed, in the form in which we have it, in the heart of the Hellenistic period, to be precise in the 160s B.C., during the persecution of Judaism by the Seleucid king Antiochus IV Epiphanes.

Alone of all the other cultures which were to be submerged by Greek culture, Judaism continued to produce works written in its two native languages, Hebrew and Aramaic (Daniel uses both), and to have its own canonical works translated into Greek. The legend of how the Bible, or at least the Pentateuch, came to be translated into Greek, involves both Egypt, under Ptolemy II Philadelphus (283–246 B.C.), and Judaea. For the king is said to have sent a mission to Jerusalem to bring translators to carry out the work in Alexandria. The story does indeed seem to be legend, though the seventy (or seventy-two) translators have given its name to the Greek version of the Bible, the Septuagint. But it is a fact that the work of translation had at least been begun in the third century; and with it a quite new vision of the world, and how it came into existence, came to be expressed in Greek. How many classes for the translation of Greek prose, I wonder, have ever found before them the opening words of the first chapter of Genesis?

Ἐν ἀρχῇ ἐποίησεν ὁ θεὸς τὸν οὐρανὸν καὶ τὴν γῆν. Ἡ δὲ γῆ ἦν ἀόρατος, καὶ ἀκατασκεύαστος, καὶ σκότος ἐπάνω τῆς ἀβύσσου καὶ πνεῦμα θεοῦ ἐπεφέρετο τοῦ ὕδατος. καὶ εἶπεν ὁ θεός Γενηθέτω φῶς. καὶ ἐγένετο φῶς.

Yet this view of the nature of the world and of the divinity was, as time went on, to be at least as important, for millions of people whose language of culture was Greek—and later, as we will see, Latin—as anything contained in the pagan classics. It is therefore essential for us to see it too as part of ancient culture. The third century was thus also the moment when the two strands of our inherited culture came together.

Before we go on to look at the later Graeco-Roman world, it is worth taking a glance sideways at another conjunction of cultures and religious systems which might have led to an equally long-lasting new civilisation, but in the end did not. In the time of Ptolemy Philadelphus large parts of India and Afghanistan, profoundly affected by the arrival of Alexander, but given up by Seleucus Nicator, were ruled by a great emperor of the Mauryan dynasty, Asoka, one of whose epithets was “piodasses,” which apparently means “of benevolent countenance.” Having an important message to communicate to his people, Asoka had a series of proclamations inscribed at different points across his empire. One of these places was Kandahar, where he put up an edict in Aramaic and Greek. Since this quite remarkable document, first published in 1958, has never become generally well known to classicists, it deserves quotation in full here:

When ten years had been fulfilled, Piodasses demonstrated piety before men, and from that time on has made men more pious, and all has prospered throughout the land. For the king abstains from (eating) living things, and other men—even such as are the king’s hunters or fishermen—have abandoned the chase. And if any are lacking in self-control, they have left off their excesses so far as they can. Moreover they are obedient each to their father and mother, and to the elders, to an extent greater than previously. For the future, acting according to all these principles, they will live more agreeably and better.

Why was the king impressing these ideals on his people? Because he had recently converted to the teachings of Buddha. The document is one of only two (the other being another edict of Asoka, published in 1964) in which Buddhist beliefs are expressed in classical Greek.

That remarkable conjunction turned out, so far as we know, to be abortive. In the end, the world of Greek cities would stretch no further

than the Tigris, or at the most Seleucia on the Eulaeus, the ancient Susa. But in the wider Mediterranean region, Roman expansion, beginning, as we have seen, exactly at the moment of Alexander's conquests, absorbed nearly all of the region where those conquests had left long-lasting effects, and at the same time carried Latin culture all over Mediterranean North Africa, western Europe, including eventually Britain, and central Europe down the Danube to the Black Sea, with a striking extension into Dacia, present-day Romania. The effect, therefore, was to produce, by the first few centuries A.D., a dual Graeco-Roman culture, expressed in Greek, Latin, or both, from the Tigris to the Atlantic, or from Elephantine on the Upper Nile to Hadrian's Wall.

It is worth emphasising the sheer scale of this process. Modern estimates (or rather guesses) would put the population of the Roman Empire at something like 50 million people. It is important to stress that what was produced was a dual culture, Greek and Latin, in which the constituents of Latin culture owed far more to Greek culture and tradition than the other way round. The Roman army did of course carry the Latin language, and even Latin literature, to every corner of the Empire. Within the past few years new discoveries have demonstrated how the army took the text of the *Aeneid* with it to its furthest outposts: a line of the *Aeneid* (9, 473) from Vindolanda is echoed by another (4, 9) from Masada, the great rock by the Dead Sea which the Roman army occupied after its defenders, in the last stage of the Jewish Revolt, had committed suicide in A.D. 73 or 74.

But the first of the two fundamental facts which one needs to grasp about the Roman Empire, is that "Latinisation," never in any case seriously attempted, made very little progress in the Greek-speaking East. There is for instance no certain proof that anyone translated any of Virgil into Greek until in the early fourth century the emperor Constantine produced some of the *Fourth Eclogue* in Greek for the benefit of an assembly of bishops.

More important, in the eastern half of the Empire, the language of ordinary life, and even (largely) of public business, remained Greek. It would be a reasonable estimate that, at all stages in the history of the Roman Empire, it contained more native speakers of Greek than of Latin. Thus it was that there survived a continuous tradition of Greek culture through the Hellenistic period, through the Roman Empire of the first three centuries A.D., past the foundation by Constantine of Constantinople, situated at the strategic point on the route between

Danube and Euphrates, past the fall of the Roman Empire in the West in the fifth century, and on into the Byzantine world.

But the other essential fact about the Roman Empire is equally important. That is the diffusion of Latin so as to become not just the language of Empire, but that of ordinary speech, in the non-Greek regions. When, forty years ago, my head boy just assumed that one did not really “think about” Latin, I fear that he was right. In the case of Italy itself, Gaul, and Spain, we can be certain that in the end a popular language which had evolved out of Latin did become the main language of ordinary speech. But when, by what stages, and by what social or educational processes? Had the same been true of North Africa before the Islamic invasions? Was it true of Britain by the time of the Roman withdrawal in the early fifth century? We can meet the ordinary Latin of the street and the market-place in (for instance) the curse tablets from the temple of Sulis Minerva at Bath, splendidly edited by R. S. O. Tomlin. But was Celtic none the less spoken all through the nearly four centuries of the Roman occupation of Britain, while leaving hardly a written trace? Similar problems present themselves also for all of central Europe, not to speak of Romania with its Latin-derived language. We do need to “think about” Latin; and the social history of the spread of Latin and its adoption as the language of ordinary speech has hardly begun to be written.

In any case, in thinking of the expansion of Latin, we are not concerned just with a language, but with an entire culture and historical consciousness. It is an extraordinary tribute to the attraction of Latin culture that virtually no trace survives of any pre-Roman literature, oral or written, or of any conception of their own previous history, on the part of any of the peoples of the western Mediterranean and of north-western and central Europe. The only literature they inherited was Latin, and the only history Roman—except insofar as they acquired also a consciousness of Greek culture and, with Christianity, of Old Testament tradition.

Very few people, either then or now, have allowed themselves to be sufficiently surprised by this. One person who did so allow himself, however, was Aurelius Augustinus, born in A.D. 354 and brought up in the little one-horse town of Thagaste in Roman North Africa. Looking back in his *Confessions*, written in the 390s, Augustine did find it possible to ask himself why his education had been as it was:

Even now I have not yet discovered the reasons why I hated Greek literature when I was being taught it as a small boy. Latin I deeply

loved, not at the stage of my primary teachers but at the secondary level taught by the teachers of literature called “grammarians.” The initial elements, where one learns the three Rs of reading, writing and arithmetic, I felt to be no less a burden and an infliction than the entire series of Greek classes.

But why, in any case, had his education been about the passions of Dido and not about his own soul?

What is more pitiable than a wretch without pity for himself who weeps over the death of Dido dying for love of Aeneas, but not weeping over himself dying for his lack of love for you, my God, light of my heart, bread of the inner mouth of my soul, the power which begets life in my mind and in the innermost recesses of my thinking.

The question expressed the irresolvable tensions between the two traditions, Judaeo-Christian and classical, which now made up the culture of the Graeco-Roman Empire—which, at the very time when Augustine was writing, was reaching, in A.D. 395, the first step in the eventual division of Latin West and Greek East.

Where we should see the story of Graeco-Roman culture as ending is of course an insoluble problem. In one sense the answer, of course, is never. In another, 1453 and the fall of Constantinople. Or perhaps the Islamic invasions of the seventh century. Or perhaps, if we wish to choose a terminal date, with the reign of Justinian in Constantinople, in 527–565. For not only did his reign see the last attempt to re-unify East and West by military means, but it also produced one of the greatest monuments of Latin prose and of Roman culture, the *Digest*. It seems odd, again, that, in an educational context, no one (to my knowledge) ever uses extracts from it. For, first, whatever Justinian may have intended, what the compilers of the *Digest* actually produced was something very familiar to us all: a source book. What they did was to select extracts from the main writers of classical Roman law, primarily those of the early third century A.D., Ulpian, Papinian, and Paulus, and arrange them under headings. Through the *Digest* we thus gain access to a vast corpus of Roman prose writing from the height of the Empire, the best part of 1 million words in all. Not only that, the main manuscript of the *Digest*, now in Florence, was written, in Latin of course, somewhere in the Greek world in the late sixth or the seventh century A.D. It is thus extremely close in time to the original compilation.

Suppose that we imagined that the writing of this vast Latin manuscript had taken place in A.D. 622, the year of Mahomet’s *Hegira*

from Mecca to Medina. We might then choose to use these two events as marking a symbolic terminus for the ancient world. That date belongs almost exactly 1,400 years since the first Greek settlers had arrived in Pithekoussai, and since their immediate successors brought with them an awareness of “Nestor’s cup” and Homeric epic. The interval concerned happens to be slightly longer than the timespan from A.D. 622 to now. In defending our subject, and in emphasising its significance in human history, and its sheer scale in space and time, we should not be too modest.

At the same time, we ought to be prepared to ask ourselves some questions. For a start, why have we allowed our “canon” of what is worth reading in Greek and Latin to be narrowed to whatever counts as “literature”? Might not extracts of Roman legal texts, with their repeated use of ordinary-life situations, seem more accessible to pupils than (for instance) Ovid with his complex web of mythological allusions? Equally, might not pupils respond to Roman architectural or military handbooks? Or to Greek medicine, in the form of the Hippocratic corpus? Or to papyrus letters, for instance, from errant sons to irate fathers? But above all, why do we exclude from the standard conception of what a classical education is about Jewish and Christian texts in Greek, and Christian texts in Latin? (To the best of my knowledge there is no Jewish literature in Latin from antiquity.) To end this exclusion would be, as I suggested earlier, to bring the Septuagint within the canon of Greek literature, not to speak of those two immensely powerful narratives (in Greek) of the Jewish resistance to Hellenism in the second century B.C., namely I and II Maccabees. These texts, conveniently available either in the Catholic Bible or Protestant editions of the Apocrypha (translated for instance in the New Jerusalem Bible or the New English Bible), are not only immensely powerful pieces of writing, but bear directly on the nature and impact of Greek culture in the Hellenistic period. Take for instance the account in II Maccabees 4 of how the high priest of the 170s B.C. “was pleased to found immediately below the acropolis a gymnasium, and conducted there the noblest of the ephebes wearing the *petasos* [a Greek sun-hat]. That was the moment of the height of *Hellenismos* and advance of foreign customs [*allophylismos*] through the pollution of the impious Jason, no true high priest, so much so that the priests were no longer eager to conduct the services of the altar, but, despising the Temple and neglecting the sacrifices, they rushed to take part in the exercises of the *palaistra*, when summoned by the sound of the *diskos*.”

If we allowed ourselves this angle of vision on the classical world, we could also accept the centrality of the works of Josephus, written in Greek in Rome in the later first century A.D., but representing to the pagan world a tradition and a local history going back to the Creation. We might even read in Greek classes those vivid views of provincial society in the Roman Empire provided by the Gospels and Acts.

There are furthermore two other important reasons for allowing ourselves to include Jewish and Christian texts in our conception of “classics.” One is that, in the case of Christianity, we can follow the transmission of the new faith from a Greek into a Latin context, and with that arrive once again at the Graeco-Roman world of late antiquity, where pagan culture and tradition lived in uneasy co-existence with Judaeo-Christian beliefs, traditions, and literature. We ought to remind ourselves also that it was probably in the late Roman world of (say) the fourth and fifth centuries A.D. that the largest number of people had either Greek or Latin as their primary language. In one way, as Augustine’s picture of his education in his little home town shows, this was the most “classical” of all periods.

But the second reason is more relevant to how we introduce people to the classical world today. For the two important processes mentioned just now, the transfer of Christianity and its sacred scriptures into a Latin-speaking environment, and the clash between Christianity and paganism, are illustrated for us by texts of outstanding dramatic force, combined with great linguistic simplicity, the *Acts of the Christian Martyrs*. These *Acts* are not, though they may seem to be, authentic verbal records of the trials of martyrs. But they are ancient literary evocations of those trials, which both, in reality and as presented in martyr acts, served to focus on just what was at stake in the clash of two views of the world.

One aspect of these complex processes is perfectly caught in the earliest of the known martyr acts in Latin, which represents the trial before the proconsul of Africa in A.D. 180 of some Christians from a small place called Scilli. One of the proconsul’s questions evokes a response of far greater significance than the very simple language might suggest:

Saturninus the proconsul asked: What things are there in your box?

Speratus answered: The books and letters of Paulus, a righteous man.

With that we have the very earliest evidence for the translation of the New Testament into Latin, a process which was to culminate in

Jerome's great work of revision, and the production of the Vulgate, which has remained ever since the Bible of the Catholic Church:

In principio creavit Deus caelum et terram. terra autem erat inanis et vacua et tenebrae super faciem abyssi. et spiritus Dei ferebatur super aquas. dixitque Deus "fiat lux"; et facta est lux.

From one point of view, the diffusion of this view of what the world was is surely of some importance for our understanding of the ancient world. But from another, might not these simple, pregnant sentences provide for beginners a good way into the Latin of later antiquity (as Jewish texts do into the Greek of the Hellenistic period)? But if we did wish to use Christian Latin as a way in for beginners, there could be no better choice than the martyr act which represents the trial of Fructuosus, bishop of Tarragona, before the governor (*praeses*) in A.D. 259. Note the very loaded and meaningful use of tenses, the deployment of subordinate clauses, the contrast of singular and plural (*deum* and *deos*) in speaking of the divine order, and the stark clarity in which the clash of religious understandings is presented:

Aemilianus praeses Fructuoso dixit: Audisti quid imperatores praeceperunt?

Fructuosus dixit: Nescio quid praeceperunt. ego Christianus sum.

Aemilianus praeses dixit: Praeceperunt deos coli.

Fructuosus dixit: Ego unum Deum colo, qui fecit caelum et terram et mare et omnia quae in eis sunt.

Aemilianus dixit: Scis esse deos?

Fructuosus dixit: Nescio.

Aemilianus dixit: Scies postea.

.....

Aemilianus praeses Fructuoso dixit: Episcopus es?

Fructuosus dixit: Sum.

Aemilianus dixit: Fuisti.

Aemilianus, the governor, asked Fructuosus: Have you heard what the emperors have ordered?

Fructuosus answered: I do not know what they have ordered. I am a Christian.

Aemilianus, the governor said: They have ordered that the gods are to be worshipped.

Fructuosus answered: I worship the one God, who made heaven

and earth and sea and all that is in them.

Aemilianus asked: Do you know that there are gods?

Fructuosus answered: I do not know.

Aemilianus said: You will know later on.

.....

Aemilianus, the governor, asked Fructuosus: Are you a bishop?

Fructuosus answered: I am.

Aemilianus said: You were.

Enough has been said to illustrate the three main themes which I want to put forward: the sheer scale in time and space of what we call the “ancient world”; the significance within it of those Jewish and Christian texts in Greek or Latin which we would do well to include in our view; and the use to which some of these texts could be put, as being grammatically simple but pregnant with meaning, in introducing beginners to classical culture and beliefs.

If space allowed, I would say something about the hundreds of thousands of inscriptions and tens of thousands of papyri which give us direct access to the words written in the thousands of small towns and villages of the ancient world (many of these texts would also serve for beginners starting to read Greek or Latin). But instead I will indulge myself by quoting from my favourite work from late antiquity, Jerome’s brilliantly journalistic account of the life of Hilarion, an inhabitant of the ancient city of Gaza, who was born in the 290s and converted in the early years of the fourth century to the life of a Christian ascetic.

The ancient Philistine city of Gaza was now in fact a perfect example of a “Graeco-Roman” place. Long since Hellenised, it had been given in the third century the status of a Roman colony. Hence (in principle at least) it used Latin in its public affairs, and its two chief annual magistrates had the Latin title *duumviri*. As a Roman *urbs*, Jerome reports, the city held an annual festival in honour of the god Consus, to commemorate the rape of the Sabine women. As part of the festival, a Christian, Italicus, was due to enter a *quadriga* (four-horse chariot) against one owned by a pagan *duumvir* and feared the effect of spells. So Hilarion was asked to provide holy water to scatter over the Christian-owned horses and *quadriga*, and their charioteer.

Thus, Jerome records, “when the signal was given, they [the Christian horses] flew off, and the others were held up.” Jerome picks up here the tradition of sports journalese inaugurated in *Iliad* 23, and

turns to using the historic present: “Under the Christian chariot the wheels grow red hot; they [the pagan horses] can scarcely see their rival’s backs as they fly past” (Sub horum curru rotae fervent; illi praetervolantium terga vix cernunt). “Marnas has been conquered by Christ!” (Marnas victus est a Christo), shouted the crowd. So indeed it was to be in the end, but only after several hundred years when worshippers of Christ and of the pagan deities co-existed, and more people were educated in Greek and Latin language, culture, and tradition than ever before. We should not be afraid, in the modern world, to boast of just how much of human history all this represents. But, equally, we should allow ourselves to “think about Latin,” and about how the modern beginner can best be helped to approach the Graeco-Roman world.

A Note on the Sources

For anyone who wants to follow up any of the texts mentioned in this lecture, a note of some places where they are printed follows:

* Presidential address at the Classical Association, Durham, April 1993, *Proceedings of the Classical Association* 90 (1993): 11–33.

1. The papyrus of 311 B.C. is most easily found in A. S. Hunt and G. C. Edgar, *Select Papyri* 1 (1932), no. 1, Loeb edition.

2. Josephus’ account of Alexander in Jerusalem comes from his *Jewish Antiquities* 11, 8, 5 (329–39); the passage quoted is 336–38 (Loeb).

3. The Buddhist inscription of Asoka was first published by D. Schlumberger, L. Robert, A. Dupont-Sommer, and E. Benveniste in *Journal Asiatique* 246 (1958): 1. Text and French translation also in J. Pouilloux, *Choix d’inscriptions grecques* (1960): no. 53. The second Greek text was published by E. Benveniste in *Journal Asiatique* 252 (1964): 137, and by D. Schumberger in *Comptes-rendu de l’Académie des inscriptions* (1964): 1, and is reproduced in P. Steinmetz, ed., *Beiträge zur hellenistischen Literatur und ihren Rezeption in Rom* (1990), on pp. 47–49.

4. Constantine’s translation of the *Fourth Eclogue* into Greek is contained in his *Address to the Assembly of the Saints*, usually printed along with Eusebius’ “biography,” *On the Life of the Blessed Constantine*. The passage referred to is *Address*, chaps. 19–20. The only English translation known to me is that of P. Schaff and H. Wace in *Select Library of Nicene and Post-Nicene Fathers* I (1890; repr. 1952). But see now A. Cameron and S. Hall, *Eusebius’ Life of Constantine*, translated with introduction and commentary (1999).

5. R. S. O. Tomlin's edition of the curse tablets from Bath can be found in B. Cunliffe, ed., *The Temple of Sulis Minerva at Bath II* (1988).
6. The translation of the *Confessions* (1, 13) is taken from that by H. Chadwick, *Saint Augustine, Confessions* (World's Classics, 1992).
7. The Greek text of I and II Maccabees can be found in editions of the Septuagint, for instance, that by A. Rahlfs, originally published in 1935; and also, with French translations and commentary, in F.-M. Abel, *Les livres des Maccabées* (1949).
8. The Christian martyr acts can be found with a (very poor) English translation, in H. Musurillo, *The Acts of the Christian Martyrs* (1972). The text of the acts of the Scillitan martyrs is no. 1, and that of the acts of Fructuosus no. 12.
9. Jerome's *Vita Hilarionis* is printed in C. Mohrmann, ed., *Vita dei Santi IV* (1975), 69ff., and translated in R. J. Deferrari, ed., *Early Christian Biographies* (1952), 245ff.

CHAPTER TWO

Epigraphy



Introduction

There can have been few major civilisations in which the incision of words on stone or metal for permanent display or record has played no part at all. But if the making and display of inscriptions is attested in many cultures, it was so distinctive a feature of Graeco-Roman civilisation that it deserves consideration as a major cultural phenomenon in its own right. As a consequence of this, the sheer volume of inscriptions from the ancient world, primarily but not only in Greek and Latin, gives epigraphy a central importance in the study of its history and culture, in a way which is not characteristic of historical approaches to most other periods or areas. Thus, it was to an epigrapher of the classical world that the editors of a post-war French encyclopaedia turned when they wanted to include a section on epigraphy as a historical discipline in general.¹

The sheer profusion of epigraphic evidence—from tiny graffiti on walls or fragments of pottery, to stamps on jars, to the sepulchral inscriptions of innumerable individuals, to vast monumental inscriptions which may run to several hundred lines—creates its own problems. It would be a Herculean (and pointless) labour to work out even approximately how many Greek and Latin inscriptions have now been published; a guess of something over half a million might not be far out. Though many major projects for *corpora* of inscriptions have been undertaken—the great classics being the *Corpus Inscriptionum Latinarum* and, to a lesser extent, *Inscriptiones Graecae*—none ever has been, or ever could be, completed without being already out of date. Even to offer an extended guide to the basic bibliography of classical epigraphy in general,² of Greek inscriptions³ or of Latin ones,⁴ is now a considerable enterprise which itself will be out of date immediately on publication. The most successful of epigraphic publications remain those great collections of the late nineteenth and early twentieth centuries which aimed to provide a very large representative *sample* of Greek or Latin inscriptions. W. Dittenberger's *Orientis Graeci Inscriptiones Selectae* I–II (1903–5) and *Sylloge Inscriptionum Graecarum*³

I-IV (1915–24), R. Cagnat's *Inscriptiones Graecae ad Res Romanas Pertinentes* I-IV (1906–27), and H. Dessau's *Inscriptiones Latinae Selectae* I-III (1892–1916) remain the best places to begin the practice—which is of fundamental importance for understanding the ancient world and arriving at an original view of it—of reading inscriptions *in bulk*. Though we must always be conscious of how much inscriptions will *not* tell us—and a large part of this chapter is concerned with precisely those limitations—it is still the case that inscriptions, read in bulk, provide the most direct access which we can have to the life, social structure, thought, and values of the ancient world. Papyri and parchments, which may preserve public documents but also offer us thousands of examples of private, informal texts—letters, complaints, records of dreams, private financial accounts—are potentially even more revealing.⁵ But the very special circumstances required for their preservation, which are consistently present only in the desert areas of Middle and Upper Egypt and in parts of the Near East, inevitably create a marked geographical bias in the evidence which they present.

For these reasons it is the reading of inscriptions, even more than of papyri, which will provide the essential direct acquaintance, the “feel” for ancient society, without which the formulation of precise historical questions or hypotheses is an empty exercise, indeed cannot properly proceed at all. But as soon as a student does formulate any specific question, even in the vaguest outline, he or she will want to be able to trace all the relevant evidence. It is here that the difficulties begin, and some of them are fundamental. Firstly, it is abundantly clear that only a very limited range of human activity and experience formed the subject matter of inscribed material. Literature, archaeology, numismatics, or papyrology may in certain cases provide an intelligible context which the inscriptions, in spite of the explicit character of the evidence they provide, do not. But epigraphy can never escape from the conundrum posed by all the vast, varied, but irremediably partial evidence surviving from the ancient world: how are we to construct an intelligible and not grossly misleading framework within which to interpret that fragmentary evidence which does happen to be left to us from antiquity?

That brings us to the second problem. What was originally inscribed was inevitably partial in what it chose to present to the contemporary reader; but what happens to have survived happens to have been seen or excavated in the modern world, and happens subsequently to have been published—a consequence which may

follow very belatedly or not at all—is infinitely more partial. In seeking to gather “all the evidence” on a particular point we are at best summing up a minute sub-category of various infinitely receding larger categories. But can we do even that? Given the multiplicity of forms of “publication,” which include local antiquarian journals which never reach a wider market, it is in fact never possible to be certain that all the published evidence has been collected. But some approximation to this can be achieved by reading—and using the indexes of—the three major annual (or more or less annual) surveys of Greek and Latin epigraphy: the *Supplementum Epigraphicum Graecum* (*SEG*), published, with interruptions, since 1923, and designed to reproduce texts of new Greek inscriptions and note improvements in ones already known; *L’Année Épigraphique* (*AE*), published since 1888 and devoted to the reproduction of the texts of new Latin inscriptions and of Greek ones relevant to Roman history; and, above all, the *Bulletin Épigraphique* (*BE* or *Bull. Épig.*), a survey and analysis of Greek inscriptions, published in the *Revue des Études Grecques*. From 1938 onwards this last was the work of Jeanne and Louis Robert, and it has been—and will remain—essential reading for anyone who wishes to understand Greek civilisation as it was in antiquity, above all in the post-classical period and in Asia Minor (present-day Turkey), the focus of the Roberts’ own interests. To read the *Bulletin Épigraphique* is probably the best way to gain a sense both of one’s own overwhelming ignorance and of the excitement of exploring the vast, and ever-expanding mass of Greek which survives in inscriptions.⁶

Any reader of these publications would also gain a vivid impression of the immense geographical area over which Greek and Latin inscriptions are found, from Ai Khanum, which lies on the Oxus on the border of Afghanistan and the USSR, to Iran and the Persian Gulf, Mesopotamia, the Caucasus, the north coast of the Black Sea,⁷ Romania, the whole of Europe within the Danube and Rhine, and North Africa from the Atlantic to Egypt. Egypt is also a conspicuous case of a phenomenon which by their very nature collections and surveys of Greek and Latin inscriptions tend to obscure—the interpenetration of Graeco-Roman culture with a considerable range of other cultures. Many of the Greek inscriptions of Egypt come from temples and monuments of a specifically Egyptian character;⁸ in Jewish funerary practice in Palestine, Hebrew, Aramaic, and Greek texts are closely intermingled.⁹ Similarly it is a fundamental (and to some extent neglected) fact about the “Romanisation” of the Latin-speaking areas of North Africa and the West that neo-Punic texts,

sometimes written in Latin characters, continued to be inscribed in North Africa at least until the end of the second century A.D.,¹⁰ and extended texts in neo-Punic appear in Sardinia until about the same time.¹¹ Palmyra, where the local branch of Aramaic was clearly the main language of ordinary speech, produces public inscriptions in either Greek or Palmyrene (heavily impregnated with Greek, and a few Latin, loan-words) or in parallel texts, throughout the three hundred years of its history.¹² The Semitic-language epigraphy of the classical period, taken in all its branches from the western Mediterranean to Afghanistan, is a sufficiently important parallel phenomenon to Greek and Latin epigraphy to deserve a special emphasis here.¹³ In this area too there is an excellent running survey, the “Bulletin d’épigraphie semitique” published by J. Teixidor in the journal *Syria*.

The Geography of Languages

There is no need to catalogue here the substantial range of evidence—largely from inscriptions—for the multiplicity of languages used in the Graeco-Roman world; those attested in the Roman Empire are surveyed in a useful recent volume.¹⁴ But it is worth emphasising how complex and interesting a world is revealed for instance by the late-Phrygian inscriptions of the imperial period, all written in the Greek alphabet,¹⁵ or the neo-Punic inscriptions from Africa written not only in the local variety of the Semitic alphabet but sometimes (as we have seen) in Latin characters or in Greek ones.¹⁶ By contrast the epigraphic remains of Celtic from France are all written in Latin or Greek characters, and no trace of a non-classical script survives.¹⁷ In this instance the very fact of composing a text for inscription must surely be regarded as a borrowing from Graeco-Roman culture.

Grossly inadequate as our often isolated fragments of inscriptional evidence are, they are often the best (or the only) evidence we have for the use of a language, or the contrasting uses of different languages, in a particular time and place. In western and central Europe, for instance, there is still nothing to suggest that any “native” language was ever used in public documents in parallel with Latin, or indeed came into regular use in public inscribed documents separately from Latin. It does not of course follow that none was spoken, or even used in writing on perishable materials. However, in Tripolitania in North Africa, for instance, neo-Punic texts accompanied Latin ones on public inscriptions at least until the end of the first century A.D. But

the excellent volume of the *Inscriptions of Roman Tripolitania*, by J. M. Reynolds and J. B. Ward Perkins (1952), merely alludes to but does not print or discuss these parallel texts.

That this should be so is a product both of the inevitable limitations of human knowledge, energy, and skill and of the costs of printing; the effort and expense of producing a volume of Latin and/or Greek inscriptions is great enough without the extra problems presented by other ancient languages and scripts. Yet it does deserve emphasis that this restriction, serious enough for our understanding of the local culture of Tripolitania, is a much more fundamental handicap when we come to the even richer mixture of cultures in the Near East, where we find a number of major documents inscribed from the beginning in parallel texts in two or more languages—and where the texts in different languages have tended to be published and discussed separately. This is the case even with the Rosetta stone from Egypt, a decree of the Egyptian priesthood passed in 196 B.C., and reproduced in a Greek text and two Egyptian ones, written in hieroglyphic and demotic. The Greek text is available as Dittenberger, *Orientalis Graeci Inscriptiones Selectae*, 90. But although, as is well known, it was the parallel texts which enabled Champollion to decipher the hieroglyphic script in the 1820s, the three versions have since then very rarely been discussed within the same covers.

Egypt is perhaps the most marked case where the skills necessary to study Greek inscriptions, papyri, and ostraca (fragments of pottery with writing inked or scratched on them), on the one hand, and Egyptian ones, on the other, have for understandable reasons been deployed as if in separate compartments. But it may be worth noting three relatively recent discoveries of major multilingual texts, which serve to show up both the present limitations of and the infinite possibilities of epigraphy in the Near East and central Asia.

1. The trilingual inscription, in Aramaic, Lycian, and Greek, from Xanthos in Lycia, almost certainly to be dated to 337/6 B.C., that is, in the last years of the Persian Empire. The three texts, which concern the setting up of an altar and associated priesthood in the sanctuary of Leto at Xanthos, have had to be published by separate authors, if within the same volume, both in the initial publication and in the final report.¹⁸

2. The two Greek inscriptions of the Indian king Asoka, of the mid third century B.C. These are so far the only two Buddhist documents surviving in Greek. Both come from Kandahar. The first, published in

1958, has a parallel Aramaic text and is an invitation to the king's subjects to follow him in abstaining from meat.¹⁹ The second was published in 1964.²⁰ In this case there is no parallel text in the epigraphic sense, but the inscription is a Greek version of the end of Edict XII and the beginning of Edict XIII of Asoka, already known from inscriptions of his put up elsewhere. The first contains moral precepts, and the second gives an account of the king's remorse and conversion after the casualties and destruction brought about in a war which he fought in Kalinga. It does not seem that these truly remarkable documents have yet had their full impact on our conception either of the use of the Greek language in central Asia or of the nature of "Hellenisation."²¹

3. The "Res Gestae" of Shapor I. The record of the achievements of the early Sassanian king Shapor I (241–72) is carved on a stone wall at Naqsh-e-Rostam near Persepolis, and written in three languages, middle Persian (the original text), Parthian, and Greek. The complete Greek text, accompanied by the two Iranian versions in transcription, was published for the first time only in 1958.²² It represents not only, in its second part, an immensely detailed account of the religious position and activities of an early Sassanian king but, in its first part, the only detailed account of a Roman war which we have from a non-Graeco-Roman source. More important, like the other major documents just mentioned—the Rosetta stone, the tri-lingual inscription from Xanthos, and the edicts of Asoka—it gives some hint of the complexity of the mixture of cultures in these areas of Asia which were touched (at least) by Hellenisation. For any scholars who—individually or in collaboration—can deploy the varied linguistic skills required, there are whole areas whose social and cultural history in the Graeco-Roman period has hardly yet begun to be written. We have only to think of Egypt at almost any period, Hellenistic Phoenicia, Hellenistic Babylonia, with its combination of Greek and cuneiform documents,²³ Mesopotamia in the period of the Roman occupation, or Nabataea as a kingdom and as the Roman province of Arabia.

It may be noted in passing, since this area is wholly beyond the competence of the author, that inscriptions are inevitably of the greatest importance for the study of the history of language—not only Greek and Latin but all the others used within the orbit of Graeco-Roman civilisation—as they are also for grammar, spelling, orthography, and pronunciation. These subjects themselves have great

historical significance. The sixteen hundred or so fifth-century B.C. ostraca from the Agora and Kerameikos of Athens so far published—and potentially the several thousand found in the Kerameikos in the 1960s and not yet published—give uniquely important evidence for the letter forms, spelling, and grammar used (in very varied ways) by ordinary Athenians of the classical period. If and when these ostraca are published and properly studied they would in principle allow an attempt to reconstitute the text of (say) Aeschylus' *Persae* of 472, with the lettering and grammatical forms which would actually then have been in use. If that seems too farfetched a possibility, it is still worth pointing out that the Athenian decree relating to Chalcis of (probably) the 440s remains the earliest documentarily attested piece of continuous Attic prose.²⁴ It would be agreeable to think that it is often introduced as such to students of classics.

In the same way the vast body of Hellenistic inscriptions is the essential source for the evolution of the *koine* or common Greek language of the post-Alexander period (which did not exclude the preservation of dialect forms in some cities, for instance, Doric in Rhodes or Cyrene), while the local inscriptions of Italy are the only basis for our knowledge of the various Italic tongues, and the gradual spread of Latin—itself a key element in the Romanisation of Italy.²⁵ Similarly, surviving Latin inscriptions provide our only evidence of how Latin was written and spoken in eastern Europe in the Roman imperial period.²⁶ Whereas monumental inscriptions necessarily present a formalised language which may yield little trace of that used in ordinary life, graffiti on walls (best known, of course, at Pompeii), and pottery provide a means of access, comparable to that of the ostraca for the Greek of classical Athens, to the grammatical forms and pronunciations actually used by ordinary people.²⁷ For the evolution of vulgar Latin, the third-century A.D. ostraca written by soldiers stationed at the frontier post of Bu Ngem in Tripolitania will be of exceptional importance.²⁸ Beyond that, in favourable circumstances, the graffiti of a town such as Pompeii may be extensive enough to allow an attempt to define the elements of a popular culture.²⁹ All of this is simply to point out the obvious, that the inscriptions of the classical world are first and foremost a body of texts, an ever-increasing mass of language, which inevitably outstrips all attempts at lexical or grammatical analysis. In one particular area of language, the history of nomenclature, the importance of inscriptions—above all because of their primarily local character—has long been obvious. A major conference was devoted to Latin

onomastics,³⁰ and the *Lexicon of Greek Proper Names*, currently being prepared under the direction of P. M. Fraser, has required the efforts of a whole team of researchers and the use of a computer. From this it is quite clear that only work with a computer—and perhaps not even that—could enable lexicographical work on Latin, and especially Greek, to do any justice to the ever-growing volume of epigraphic material. The immense bulk of the computer index to *CIL* VI, containing the Latin inscriptions of Rome, gives some idea of the problems involved.

For any serious attempt at social or cultural history we normally require (as will be stressed again later) a substantial concentration of documents which can mutually illuminate each other. But it is precisely on the margins—at the geographical or temporal limits of a culture or civilisation—that the single document, however slight, may have a disproportionate importance. At the very least it may allow that form of reasoning which deploys a double negative—it will show that it is not the case that there are no examples of *x* from a particular time or place. That being so, the form of other arguments on larger issues will also be affected.

Let me take a final example from an area mentioned several times already, Afghanistan. Asoka had at least two proclamations inscribed in Greek at Kandahar. Could it be argued that he was just following contemporary royal fashion and had no real Greek-speaking public in the locality to address and convince? No, because P. M. Fraser has published a fragmentary Greek dedicatory epigram from a statue base in Kandahar which dates to the first half of the third century and indicates that there was a sanctuary (*temenos*) there, and almost certainly shows that the place was a Greek city or settlement (and possibly even one of Alexander's foundations).³¹ All that, with considerable consequences for our understanding of the area, can be revealed by four very fragmentary lines of Greek text.

If we move further west, a number of similar examples of marginal cases, where individual documents are of great importance, can be taken from the early history of Italy, which, because of new archaeological and epigraphical discoveries, has become one of the most interesting areas in the history of the ancient world. It is perhaps worth pointing out that the documents mentioned here, dating from between the late eighth century and around 500, are in four different languages: Greek, Latin, Etruscan, and Punic.

1. A very well known example, "Nestor's cup" from the eighth-

century Greek settlement on the island of Pithekoussai (Ischia) near Naples. The cup has this nickname because on its body are scratched three lines of verse in Greek, written from right to left and beginning "Of Nestor I am, a cup pleasant to drink from."³² The cup and the graffito seem to belong towards the end of the eighth century. The consequences which can be drawn from these few lines are momentous. Firstly, this is among the earliest attested uses of the Greek alphabet. Secondly, while it has never been denied, even in the classical period itself, that the Greek alphabet is a borrowing, with varied adaptations, from the twenty-two-letter Phoenician-Hebrew alphabet, the consistent right-to-left writing here seems to indicate a particular closeness to the Phoenician source. That itself might not be correct (though evidence has been presented for a Phoenician presence on Ischia), for it has been argued that the earliest examples of Greek writing which we have (from the eighth century) reflect the Phoenician script not of that period but of some three centuries earlier.³³ The theory, based on letter forms and other strictly palaeographical considerations, naturally has to contend with the fact (which could, of course, be altered by new discoveries at any moment) that there are no examples of Greek alphabetic writing before the eighth century. But in any case, if we look to the immediate context in Ischia, the double-negative form of argument is still relevant. It cannot be argued that all the Greek colonists on Ischia were illiterate, because at least one of them was literate. What is more, the graffito is in verse and appears to contain a literary allusion, if not to the *Iliad* at any rate to the content of a story incorporated in the *Iliad*. Moreover, since it is an undoubted fact that a version or adaptation of the Phoenician alphabet passed also to the Etruscans (who continued to write right-to-left), the graffito at least illustrates a possible channel through which these fundamentally important cultural transmissions may have passed.

2. The "Black Stone" (*lapis niger*) from the Forum in Rome. This famous stone contains an inscription, written vertically, in lines running alternately up and down, which is almost entirely unintelligible, but certainly in Latin. The latest archaeological discussion of the *comitium* (the archaic meeting place of the people) area of the Forum where the stone was found (and remains in situ) suggests that the construction dates to the sixth century B.C. What is more, the presence of a fragment of Athenian black-figure pottery datable to c. 570–560 and containing a representation of Hephaestus strongly suggests that the monument should be identified with the

Vulcanal or shrine of Vulcan (= Hephaestus) which is known to have been situated in this area.³⁴ Since the identification cannot be certain, the argument is one of coherence, and cannot be conclusive. If it is correct, it naturally implies that the identification of the Greek Hephaestus and Vulcan was consciously made not later than the sixth century. But whether that is valid or not, the clear indications are that the inscription presents quite a complex Latin text of the regal period; it is thus one of a number of items of evidence for some degree of literacy *in Latin* (as opposed to Etruscan) in the archaic period. The Rome of that period emerges as a relatively advanced community, a conclusion which is of some importance, even if it makes it all the more puzzling to understand why the close contacts with the Greek world which existed from the beginning took so long—until the third century B.C.—to engender a literary culture.

3. The inscription of Sostratus from Gravisca. Another strikingly important item of evidence for Greek influence in Italy in the archaic period is represented by the inscription discovered in 1970 at Gravisca, the port of Tarquinia in Etruria.³⁵ The inscription is on a stone anchor, dates to about 500 B.C., and runs “I am of Aeginetan Apollo. Sostratus (son of) . . . had me made.” It is difficult to exaggerate the importance of the discovery. Firstly, together with the other evidence from the sanctuary of Hera, it shows Greeks solidly established on the Etruscan coast in the late sixth century. Secondly, it would be carrying academic caution too far if we declined altogether to associate this Sostratus with the Sostratus mentioned in a passing aside in Herodotus (4, 152) as the man who made the largest trading profit ever known (among Greeks, as is surely implied). This Sostratus, or at the very least a relative, now acquires a firm location and approximate date (roughly contemporary with the foundation of the Roman Republic). Furthermore, a large number of Attic vases of this period from Etruria bear the stamp ΣΟΞ, which it is surely not too rash to associate with Sostratus. In that case we have an important indication of the character of Greek long-distance trade in the late archaic period. The vases were manufactured in Athens but carried to Etruria in substantial quantities by an Aeginetan trader, whose personality and profits were sufficiently well known to be alluded to by Herodotus more than half a century later. The *combination* of different types of evidence—a literary reference, a dedication in situ, and marks on a large number of vases—is therefore certainly sufficient to re-open the question of long-distance trade in archaic Greece as a significant activity, deliberately aimed at producing profits. Whether it

would also suggest the existence of a *class* of traders is a different and much more complex question.

4. The gold leaves from Pyrgi. Pyrgi was one of the ports of the southern Etruscan city of Caere, and the three gold leaves, discovered in the excavation of a sanctuary there, apparently record a dedication made, probably early in the fifth century, by Thefarie Velianas, king of Caere. Their most immediate significance lies firstly in the fact that the dedication is to the Phoenician goddess Astarte and secondly that while two are in Etruscan the third is in Punic. Leaving aside the whole question of Phoenician-Punic influence and activity in the western Mediterranean in the archaic period,³⁶ the leaves have a very precise relevance, as a marginal case, to the issue of the first Roman-Carthaginian treaty. Polybius (3, 22) quotes this from an ancient and almost unintelligible document and dates it to the first pair of consuls in the Republic, who held office, according to him, twenty-eight years before Xerxes' invasion of Greece. The existence of these gold leaves, inscribed in Punic and Etruscan, probably a few decades later, will not, of course, serve to *prove* that there ever was such a treaty, or (still less), that Polybius' text, if genuine at all, is rightly dated to that period. But what it will do is to alter the terms of the argument, once again by the insertion of a double negative: it can *not* now be taken as a starting point that the notion of written documents exchanged between Carthage and an Italian community in this area is an unacceptable anachronism.

Place and Date

The form of argument which relies on the fact that there is (at least) one epigraphic example of something from a particular time or place, thus destroying a possible negative generalisation, will often, of course, have a place in much better-attested periods also. For instance, the fact that even a few inscriptions in Etruscan should be discovered in the Republican province of Africa,³⁷ used on boundary markers, opens up new perspectives relating to emigration from Italy and also to the use of the Etruscan language in secular, ordinary-life contexts. Or, alternatively, in a very crude and simple sense the discovery of a Latin military inscription (*CIL* III, 13430) recording a legion wintering at Leugaricio (Trencin in Czechoslovakia, some eighty miles north of the Danube) and of another from the neighbourhood of Baku on the coast of the Caspian Sea indicating the presence of a legionary detachment (*AE* 1951, 263—the easternmost Latin inscription so far

discovered), serves to demonstrate the extension of a Roman military presence at least as far as these places. It is precisely the fact that the vast majority of inscriptions come from contexts which can be located at least within reasonable limits that gives them their very special significance both in contrast to and in combination with literary texts handed down in a manuscript tradition.

Many inscriptions can also be dated, either precisely—if they contain a date using a known system (e.g., the Seleucid era, Roman consuls, or the titles of a Roman emperor)—or approximately, from considerations of archaeological context, style of monument, letter forms of the inscription, use of formulae, nomenclature, or language. But even formal, public inscriptions may sometimes be very difficult to place in a chronological context; and even greater problems may be presented, for instance, by private tomb inscriptions from the Roman provinces.

Epigraphy as Literature

The very close links and resemblances between classical literature and Greek and Latin inscriptions, which can be considered and analysed as a sub-species of literary texts, have not, of course, escaped notice.³⁸ But it is relevant to suggest that for the classically trained student approaching Greek and Latin epigraphy one relevant stratagem might be to begin with one or more of those extended texts which can without any difficulty be seen as minor literary compositions; some of them are indeed prime specimens of narrative or rhetorical prose. A strictly literary analysis of methods of composition, introduction of themes, repetition, and forms of explanation and justification addressed to the potential reader would be of exceptional value, for instance in relation to extended legislative inscriptions, particularly for example the long and complex inscriptions containing Roman laws which appear in the later second century B.C.³⁹ Given the difficulty of following the structure of these texts, it is not surprising that historical works devoted to this period show a distinct tendency to allude in passing to isolated aspects of them rather than treating them as what they are, by far the most important surviving products of the political processes of the period.

It may be worthwhile therefore to give a few examples of extended epigraphical texts which could be analysed as minor literary products, and which independently embody and reveal important aspects of the ideology or structure of the societies which produced them. I begin

with two closely related examples from early Hellenistic Greece, in that notable period when a real struggle, both ideological and military, was fought to preserve the traditional freedom of the Greek city against the claims of the rival monarchies.

1. Kallias of Sphettus. The inscription of 109 almost completely preserved lines honouring an Athenian named Kallias was voted in 270/69 B.C. and set up in the Agora.⁴⁰ The first part of the decree contains a highly allusive account, none the less giving many new specific details, of the revolt of Athens against Demetrius Poliorcetes in 287 or 286 B.C. and the role played in these events by Kallias, who (as the inscription reveals) was acting as the commander of a Ptolemaic garrison on Andros. The political and military background of the 280s is highly complex, and the chronological framework of the story is open to various different interpretations.⁴¹ What matters in this context is the revelation of a new and quite extensive piece of early Hellenistic narrative prose; the ideology of liberation and attachment to democracy which informs the document throughout; by contrast with that, the dependence on Ptolemaic military assistance and the highly evolved diplomatic and ritual relations of Athens with Alexandria; and the very full specification of the communal and ceremonial institutions of Athens which come into play in the allotment of appropriate honours to Kallias—who at the time of the document's composition was a Ptolemaic official on duty at Halicarnassus. No document could reveal more clearly the tensions and contradictions between the ideal of the freedom of the city-state and the power of the conflicting monarchies.

2. Decree of the *Koinon* of the Greeks at Plataea in honour of Glaucon.⁴² This beautiful and almost complete text of the mid third century B.C. was inscribed at Plataea by the common council (*Koinon*) of the Greeks in honour of Glaucon, the brother of the Athenian Chremonides, who had proposed in Athens in the 260s the alliance with Sparta and other states which led to the ultimately unsuccessful "Chremonidean War" against Antigonus Gonatas. The inscription perfectly illustrates the use of Plataea as a symbolic rallying point and the attachment to the ideal of freedom, and on the other hand the limitations imposed by the power structure of the time, which meant that (as in the case of the previous inscription) aspirations to freedom from the rule of one major power inevitably meant being drawn into the diplomatic or military orbit of another. Rather than summarise or isolate particular features—which tends in any case to allow the all-

important ceremonial, ritual, and religious context to be obscured—I give a translation of the complete document:

At the time when Nicocleides son of Chacreas was priest and Archelaus son of Athenaeus was agonothete, decree of the Hellenes. Euboulus son of Panormostus the Boeotian spoke:

Since Glaucón son of Eteocles, the Athenian, when formerly he was dwelling in his native city, never ceased to show his goodwill either publicly to all the Hellenes or privately to those who visited the city, and afterwards when he held office at the court of King Ptolemy showed the same attitude, wishing to make clear the extent of his goodwill toward the Hellenes, and adorned the sanctuary with offerings and revenues which it is appropriate to reserve for Zeus the Liberator and the Harmony [*Homonoia*] of the Hellenes, and also enriched the sacrifices offered to Zeus the Liberator and to Harmony, as well as the contest which the Hellenes celebrate over the tombs of the heroes who fought against the barbarians for the liberty of the Hellenes—in order that all may be aware that the common council of the Hellenes returns to those, both living and dead, who honour the sanctuary of Zeus the Liberator, thanks appropriate to the benefits they have bestowed, it has been decided by the Hellenes to praise Glaucón and to offer precedence to him and his descendants in respect of any occasion when the athletic contests are being celebrated at Plataea, on the same basis as other benefactors, and that the agonothete should have this decree inscribed on a stone *stèle* and dedicated beside the altar of Zeus the Liberator and Harmony, and that the treasurer in charge of the sacred funds should make the expenditure for this purpose.

It hardly needs to be emphasised how complex are the administrative, religious and ceremonial institutions which provide the machinery and framework of the honours voted here. The significance of the ceremonials at the site of the battle of Plataea in 479, which were still carried out in Plutarch's time (*Life of Aristides* 21), is if anything increased by the fact that the decree was passed after the defeat of the Greeks in the Chremonidean War and the garrisoning of Athens by the forces of Antigonos Gonatas. The purpose of quoting the inscription here, however, is not to offer any detailed commentary, but simply to illustrate how individual inscriptions of sufficiently rich content, even ones which—like this—are quite short, can provide a focus of study through which the nature of a whole society or period could be analysed. Epigraphic texts of this sort can be taken (in a sense)

individually and placed in a wider context in the same way as literary texts may be.

3. The *senatus consultum* of 39 B.C. from Aphrodisias. This document of 95 long lines represents almost the fullest text of any *senatus consultum* so far published. It is perhaps the most important of the large dossier of inscriptions illustrating the relations of the Carian city of Aphrodisias with Rome published by Joyce Reynolds.⁴³ Without repeating the very detailed commentary given by Miss Reynolds, it is enough to say that the document both provides detailed evidence about, and raises many problems in relation to, a host of issues: the meeting places of the Senate, its procedures and their documentation, Julius Caesar and his attachment to the cult of Venus/Aphrodite, the role of the Triumvirs in relation to republican institutions, the nature of *asylia* (rights of asylum) and the privileges of “free” cities. But the most complex and difficult question of all relates to the composition of the document as we have it. What exactly is it that the inscription is a record of? The proceedings of the Senate? The consul’s (consuls’?) speech? A motion passed on his (their) proposal? Why is the document, whose text is badly damaged in many places, marked by so many repetitions of the same subject matter, which none the less do not exhibit exact verbal repetitions? And, in any case is the Greek text a complete translation of the Latin original or a set of extracts, or something more like a summary? What appears at first sight to be a documentary record soon turns out to show considerable ambiguities, not lessened by the fact that the actual inscription as we have it was inscribed more than two centuries later. Somewhere behind the actual physical object, the inscription carved in Greek in the early third century A.D., lies a set of proposals passed in Latin by the Senate in Rome in 39 B.C. How close we can come to the latter must depend in part on a detailed “textual” and structural analysis, comparable to that applied to literary texts.

4. The “*Laudatio Turiae*.” This famous inscription, containing an address by an unknown Roman to his unnamed deceased wife, recording her devotion to him and her services in the troubled period of the Triumvirate of Octavian, Antonius, Lepidus, has recently received renewed attention.⁴⁴ If nothing else, it would deserve this attention as one of the few pieces of narrative or rhetorical prose to survive from the reign of Augustus, the most important era of Latin poetry. Like the already famous Latin papyrus containing a few lines of the poetry of Cornelius Gallus,⁴⁵ it is thus of prime importance as

evidence for the style, grammar, orthography, and spelling in use in this period. It is also one of the few extended biographical, or at any rate personal, records of an individual, probably of equestrian rank, available to use from this period. The text offers not only reflections of historical events (the purchase of the house of Milo, the proscriptions of 43, the husband's flight, the wife's prostration before the feet of Lepidus to petition for his restoration), but evidence on inheritance and the handling of family property, the conduct expected of wives and the importance of child-bearing to marriage. In other words, it is a central document for the values of Roman society. In this connection it may be significant that the surviving text, which is packed with expressions relating to moral duties and obligations, contains only a single passing reference to religious observance.

5. The Tabula of Banasa. The bronze tablet from Banasa in Morocco, finally published in 1971, is perhaps our finest documentary item of evidence for the archival procedures of the Roman emperors and for the limits and consequences of the granting of citizenship, as well as affording some glimpses of social structure in a marginal area of the empire.⁴⁶ In view of the almost complete state of the text and its exceptional character as a formal document, it seems worthwhile to reproduce it in full (omitting a few technical details):

[c. A.D. 168] Copy of a letter of our emperors Antoninus and Verus, Augusti, to Coiiedius Maximus: we have read the *libellus* [petition] of Julianus the Zegrensian attached to your letter, and although the Roman citizenship is not normally granted by imperial *indulgentia* to those tribesmen unless earned by the highest deserts, yet since you affirm that he is among the most prominent among those peoples of his and most loyal in his prompt obedience in our interests (and we do not think that many households from among the Zegrenses will be able to claim the same of their services), and since [?] we wish as many as possible to be aroused by the honour conferred by us on that house to emulate Julianus, we do not hesitate to give the Roman citizenship, without prejudice to the law of the tribe, to him, his wife Ziddina, and their children Julianus, Maximus, Maximinus, Diogenianus.

[A.D. 177] Copy of a letter of the emperors Antoninus and Commodus, Augusti, to Vallius Maximianus: we have read the *libellus* of the chief of the tribes of the Zegrenses and have noted the favour with which he is regarded by your predecessor Epidius Quadratus, and also moved by the latter's testimonies, and the services and evidence

of his conduct which he himself puts forward, have given to his wife and children the Roman citizenship, without prejudice to the law of the tribe. In order that this may be recorded in our *commentarii* [records] find out what the age of each is and write to us.

Copied down and checked from the record [*commentarius*] of those given the Roman citizenship by the Divine Augustus (names of preceding emperors) . . . which the freedman Asclepiodotus produced, as it is written below:

In the consulship of Imperator Caesar L. Aurelius Commodus Aug. and M. Plautius Quintilius, on the day before the nones of July, at Rome [July 6, 177].

Faggura, wife of Julianus, *princeps* of the tribe of the Zegrensiens, age 22, Juliana, age 8, Maxima, age 4, Julianus, age 3, Diogenia, age 2, children of Julianus mentioned above:

At the request *per libellum* of Aurelius Julianus, princeps of the Zegrensiens supported by Vallius Maximianus by letter [*suffragante . . . per epistulam*], to these we have given the Roman citizenship, without prejudice to the law of the tribe, and without diminution of the *tributa* [taxes] and *vectigalia* [revenues] of the people and the *fiscus* [the emperor's treasury].

Carried out on the same day in the same place under the same consuls. Asclepiodotus, freedman: I have checked it:

Witnesses:

M. Gavius Squilla Gallicanus	[consul, 150]
M'. Acilius Glabrio	[consul, 152]
T. Sextius Lateranus	[consul, 154]
C. Septimius Severus	[consul, 160]
P. Julius Scapula Tertullus	[consul, 160/6]
T. Varius Clemens	[ex- <i>ab epistulis</i>]
M. Bassaeus Rufus	[ex- <i>praetorian prefect</i>]
P. Tarutienus Paternus	[<i>praetorian prefect</i> by 179]
Sex. (Tigidius Perennis)	[probably <i>praetorian prefect</i>]
Q. Cervidius Scaevola	[lawyer, <i>prefect of Vigiles</i> , 175]
Q. Larcius Euripianus	
T. Flavius Piso	[<i>prefect of the corn supply</i> , 179]
Firstly, the procedures recorded fall	clearly within the wider category,

fundamental to the nature of imperial government, of petition-and-response. Secondly, the document clearly illustrates one sub-category of this procedure, the way in which provincial governors might send

on petitions from private individuals to the emperor, with a covering letter of recommendation. In this case the terminology used (*suffragante Vallio Maximiano per epistulam*) perfectly exemplifies G. E. M. de Ste Croix's justly famous demonstration—given long before this inscription was known—of how the meaning of words with the root “suffrag-” shifted from votes by equals to petitions for favours addressed by intermediaries to superiors. In other words it is a clear example of how language was distorted by the impact of monarchy.⁴⁷ Thirdly, the right to grant the Roman citizenship was from the beginning one of the perquisites of the monarchic rule exercised by the Roman emperors. We had known already from Pliny's correspondence with Trajan (10, 95; 105) that there were imperial *commentarii*, or archives, in which the names of the recipients of *beneficia* (grants) were entered; but not that there was a “*commentarius* of persons granted Roman citizenship” by all the emperors (other than subsequently unrecognised pretenders) back to Augustus himself. Nor, before the publication of this inscription, did we possess a single documentary text from these archives. The bulk of such an archive—in which, as the extract given implies, the individual entries were written up in remarkable detail—must have been very considerable. The document also confronts us with major unanswered questions as to the nature of archives on perishable materials, their organisation, location, form of storage, and (?) transportability. For did they remain permanently in Rome or accompany the emperors on their increasingly frequent travels and campaigns? If not, in what sense could they be used by an emperor who might be a thousand miles away? The list of imperial *amici*, first consulars in order of seniority and then the leading *equites*, also seems to give a perfect representation of the emperors' advisers as they were in 177. These distinguished gentlemen are listed as witnesses to a document which, seen from Rome, must have been of very minor local importance. If they really did attend in person to affix their seals, that is quite a striking fact. But did they also discuss the *content* of Imperial written decisions and letters? If not, since so much of the emperor's work concerned the issue of written decisions in various forms, the significance of the role of advisers or *amici* must have been much less than often supposed.

The document also raises important questions about the citizenship itself, as it does about the nature of the taxes and revenues of the people and the *fiscus* (the emperor's treasury). But perhaps more significant is the fact that the bronze tablet, with all the information

and problems which it presents to us, is only available, firstly, by the accident of survival (and bronze is for obvious reasons highly vulnerable) and of discovery and, secondly, because it was originally in the interest of someone—presumably Julianus, the *princeps* of the Zegrenses—to have it inscribed and put up. It is the fundamental limitation and problem of epigraphy that in reading an inscription we are always reading what someone wished to tell not us but his contemporaries. The very notion of putting up an inscription in Latin will have been a cultural import which came to Banasa with the extension of Graeco-Roman culture. But the occasion would only arise, firstly, when some success, such as a favourable reply to a petition, had been secured and, secondly, when there was some need to record this in a local context. None the less, in spite of all the problems of context and background, this is a beautifully explicit document which has almost infinite lessons to give us about the nature of the Roman Empire.

6. The Tetrarchic Edict on Maximum Prices. The two imperial letters in the Tabula of Banasa are highly typical of the workings of imperial government in the first three centuries in being *replies* to requests from interested parties. In the period of the Tetrarchy an important change seems to appear in the aspirations of government, the level of innovation which it sought, and the degree of social and economic intervention at which it aimed.⁴⁸ This very distinctive phase, accompanied by major attempts at systematisation of the law,⁴⁹ was also marked by much more explicit and deliberate attempts to explain and justify imperial decisions to the public. By far the most significant product of this development was the well-known edict on maximum prices, now known from a large number of fragments in the Greek East.⁵⁰ For our knowledge of its text we are (once again) bound to be dependent on whether in each province the choice was made to inscribe it on stone. So far, the fragments come from a quite restricted range of provinces, in the Greek-speaking part of the empire.⁵¹ This is not the place to enter into any discussion of the products and services for which the edict lays down maximum prices, or of the perplexing problems of relative monetary and bullion values in this period, also the subject of another contemporary edict of which one fragment has been published.⁵² What may be emphasised here is the vast preamble in which the emperors explain and justify their measures. As with the earlier documents mentioned, this could be considered first of all as a specimen of the official Latin prose of the early fourth century. Secondly, *whose* prose is it? The problem of the actual authorship of

the texts of all forms of imperial pronouncement, from speeches to *subscriptions* (replies written under petitions given in by individuals or groups), is acute (and insoluble) in all periods, and is made all the more complex by the Tetrarchic system. What we have is at any rate a piece of extended propaganda and self-justification issued in the name of all four of the Augusti and Caesares. We can study it as a major expression of the new imperial ideology, while recalling that the only contemporary observer from whom we have a surviving mention of it, Lactantius (*De mortibus persecutorum* 7, 6–7), saw the edict as the work of Diocletian alone, and regarded it as a total failure.

With that we may leave this minute selection, inevitably quite unrepresentative, of that vast number of inscriptions (certainly far more numerous in Greek than in Latin) which can be read like—or even as—literary texts, and which have a sufficiently full and complex content for them to form a focus of study in themselves. That study itself, however, would have to consist of extended explorations of the wider context from which these documents come and to which they refer. In consequence, no clear line could or should be drawn between this approach and what must, obviously enough, be the normal one, the study of inscriptions in groups. The vital questions are, firstly, what types of groups and, secondly, what are the limits and nature of the questions which can be asked of them?

Handling Inscriptions in Bulk

Two preliminary points must be made. If the activity of increasing our knowledge and understanding of the past is valid at all, then every scrap of information, from a couple of letters scratched on a sherd onwards, potentially has a place in some wider framework of understanding. Hence comes the value of the apparently thankless task of producing reports and publications of endless archaeological and epigraphic finds, which at the moment do not seem to have any intelligible context or to make the slightest contribution to understanding. That may require several different levels or stages of work, not necessarily by the same person: a study of script and grammar in the Latin of a western province; an analysis of the linguistic patterns prevailing there; broader conclusions on the nature of “Romanisation.” Or, just occasionally, someone with the energy and vision of a Rostovtzeff may be able to gather up a whole mass of disparate fragments of information and combine them to form an intelligible pattern.

But for the ordinary student of the ancient world who is not going to become an epigraphist himself, but who sees that the published inscriptions provide both an extraordinarily privileged and immediate means of access to the life of antiquity and a (literally) inexhaustible mass of data, the choice of an area or theme, and the construction of questions which the inscriptions will actually answer, are all-important. There are, it is true, very few aspects of life which are referred to nowhere in the hundreds of thousands of surviving inscriptions. If it were a reasonable or adequate objective to catalogue isolated references to (say) agricultural production, the marketing of vegetables, the customs of non-urban communities, diet, childbirth, or religious observances within the family, then that could always be done. But it does have to be accepted that whole areas of life will only appear tangentially, if at all, in the inscriptions, and that there are many areas, however desirable in themselves, where the inscriptions will not allow of any serious social history. One of these areas, for instance, is slavery. There are indeed important concentrations of documents, such as the manumission inscriptions of Delphi or Thessaly, which are highly *relevant* to slavery and brilliantly illuminate its social framework from a very specific angle.⁵³ But an actual *history* of slavery in any particular region cannot be written. Again, for almost all areas of economic life and activity inscriptions will provide the names of trades and occupations, regulations affecting markets or prices, or the limits of the privileges enjoyed by the members of particular groups. But they will bring us very little nearer to an economic *history*. Similarly, the most detailed inscriptions which we have relating to agriculture, those concerned with imperial estates in Africa,⁵⁴ resemble the inscriptions of imperial mines in the Iberian peninsula⁵⁵ in being *regulations* which allude to many important aspects of economic and social life, but cannot by their nature take us further than that. These documents too would be best studied in the first instance as texts, in order to establish a clear view of their internal structure and purpose. But the limitation which faces us in collecting either isolated items of economic evidence (say on the names of trades or occupations, whether generally or in a particular place) or extended formal documents relating to economic life, is that we still cannot place this evidence within any worthwhile framework. We have no idea of how or where the produce of the emperor's estates in Africa was marketed or consumed, nor what happened to the silver from his mines in Spain.

This is not to say that ancient economic history should not be

pursued—only that no one has so far escaped from the alternatives of having interesting ideas which do not relate to the evidence in a wholly satisfactory way, or collecting evidence which cannot in any real sense be interpreted. All serious work on ancient economic history using inscriptions would have to be conducted with the consciousness that all that can be achieved is preliminary collection and analysis of groups of relevant data.⁵⁶

The Case of the Greek City

Significant historical work with inscriptions, leading to results which are more than merely preliminary or indicative, must (I would suggest) satisfy two conditions: that there is a sufficient concentration of evidence either by locality, type, or theme; and that it can be placed within some intelligible framework. Given the formality of nearly all types of inscription, and therefore the all too clearly defined and limited nature of what they are designed to say, the prospects of serious historical analysis are greatly improved if the inscriptions can be related to other evidence—literature above all, but also (in certain areas) papyri, and also coins, archaeological evidence, and studies of topography. Granted these conditions—that is, granted that in many areas the concentration of evidence will be too thin to allow any coherent results—the study of the history, topography, and institutions of particular areas or cities will always be an avenue worth exploring. The work of Louis Robert, heavily emphasised at the beginning of this chapter, provides innumerable examples of studies of cities and areas in Asia Minor, using the evidence of inscriptions.⁵⁷ But we may note also, as examples, studies of the history and cults of Thasos,⁵⁸ of Cos,⁵⁹ and of Gonnoi in Thessaly.⁶⁰ It is not an accident that all these are places in the Greek East, whose inscriptions tend both to be fuller and more revealing individually (i.e., to be, as suggested already, a minor form of literature in themselves), and to come in denser concentrations. Perhaps the only two towns in the Latin West of which real “histories” can be written are Pompeii and Ostia, both being cases where a relatively rich stock of inscriptions can be placed in an archaeological setting of wholly exceptional character.⁶¹ In the Greek East even a single sanctuary can produce a major series of inscriptions, allowing historical studies at various levels: so, for instance, the Asclepieion at Pergamum,⁶² the great temple of Apollo at Didyma near Miletus,⁶³ or the sanctuary of Zeus at Labraunda in Caria.⁶⁴ An incomparably more extensive mass of inscriptions comes from the sanctuary of Apollo at Delphi.⁶⁵ The

several hundred inscriptions of Delphi, stretching from the classical to the imperial period (for which there is an extensive series of Imperial letters concerned with the sanctuary) serve to create a not uncommon situation: that while we normally complain of a dearth of evidence for the history of the ancient world, here we find ourselves with *too* heavy a concentration of documents of very specialised types (accounts, dedications, letters) which, together with the vast archaeological remains, make a “history” of Delphi in the ancient world an almost unimaginable task. We have such a history for part of the Hellenistic period;⁶⁶ but, for instance, no one has yet published a historical analysis of the role of Delphi in the Graeco-Roman world of the Empire. Much the same could be said of Delos,⁶⁷ where the pattern of the inscriptions is complicated by the island’s special relationship to Athens and by its brief but very important role as a major international trading centre between 166 B.C. and the Mithridatic wars. It is, once again, as yet impossible to imagine serious historical work, using the epigraphic and archaeological evidence, which is not strictly divided, as such work has been so far, by periods or themes.⁶⁸ Here at least there has been a beginning of analytical historical writing. But if we turn, to take only the most obvious example, to Ephesus, from where some five thousand inscriptions, stretching from the sixth century B.C. to the sixth century A.D., have been collected,⁶⁹ the evidence seems to call out for a historical study embracing topography and urban development, architecture, institutions, ceremonials, and cults. It is curious, however, that the late antique and Byzantine period of Anatolian Greek cities (notably Ephesus itself) has been better studied recently than the classical period.⁷⁰

However, all these considerations pale into insignificance beside the fact that there is no serious analytical study of the one place where all the necessary conditions for a fully historical use of inscriptions are fulfilled, namely the most obvious of all, classical Athens. Hellenistic Athens was the subject of a beautifully balanced, but now antiquated, history by W. S. Ferguson;⁷¹ a new history, using the vast mass of new inscriptional material has now been published by Chr. Habicht.⁷² But classical Athens, of the fifth and fourth centuries, more than anywhere else in the ancient world, presents a concentration of literary, archaeological, and very extensive epigraphical evidence which should allow a fully integrated historical treatment of a society and its evolution through time; and here, alone among all ancient cities, the evidence of public inscriptions can be set against the background of a detailed contemporary analysis of the

working of the constitution, the Aristotelian *Athenaion Politeia*.⁷³ As yet, to take only a few examples of those aspects to which the inscriptions are most relevant, we have detailed studies of the treasurers,⁷⁴ an excellent account of the working of the council,⁷⁵ studies of the political geography of Attica,⁷⁶ and a very full prosopography of the richer Athenians and their families.⁷⁷ The combination of literary and epigraphic evidence also makes possible a very full understanding of Athenian festivals.⁷⁸ Without multiplying further examples, it is enough to pose the question, in concluding this section, as to why classical Athens has attracted no major historical study.

A strictly geographical concentration of inscriptions, such as lies relatively unexploited not only in the individual areas and cities mentioned but also in a host of others, is not the only type of concentration which would allow serious study. Few would now dare to attempt a synthetic view of the functioning of "the Greek city" over many centuries in the manner of that great historian, A. H. M. Jones, even if his work remains essential reading for all students of the Greek world.⁷⁹ But there remain major themes where substantial series of documents are available, stretching over wide areas in time and space. One example is the major subject of the formal, diplomatic, military, and financial relations between Greek cities and Hellenistic kings, involving, for instance, the evolution of royal cults,⁸⁰ the form and content of royal letters to cities,⁸¹ the prosopography of royal emissaries and office-holders,⁸² or the forms of control and exploitation in the overseas possessions of the Ptolemies.⁸³ Subjects such as these can be effectively studied for two reasons. Firstly, because, in spite of diversities over time and space, it is reasonable to start from the hypothesis that the Hellenistic monarchies were functioning systems, in which each item of evidence will make some contribution to the understanding of the whole.⁸⁴ Secondly, we are dealing with explicit documents which not only name and locate offices and functions, but also reveal at least some elements of the values pertaining to the system. The honorific or cult inscriptions for kings, the texts of decrees honouring men who protected a city's rights against royal encroachment, or the letters of the kings themselves will all reveal at least the formal public values accepted in Hellenistic society. But behind the diplomatic history of the relations of city and monarch, which has many elements of continuity stretching from the fourth century B.C. to the late Roman Empire, and whose primary documents could (once again) be seen as constituting a minor branch

of literature with its own themes and variations, lies the major historical theme of the vitality of the Greek cities and the vigour with which they competed with each other and demanded acceptance of their claims from the successive monarchs under whose rule they fell.

This activity in itself is only a product of the communal, political, and ceremonial life of the Greek cities, which can be studied not only locally by locality, but also thematically. Here again there are strict limits on what the formal, public inscriptions available to us will reveal. We cannot hope to gain more than passing hints of the overall social composition of a Greek city, of its economic life, or of the relations of town and country. Indeed the inscribed documents will hardly mention the peasant villages of the countryside except when a king makes a grant of some of them to a favourite. The inscriptions will rarely even make clear the sources of the surplus wealth which evidently did pass into the hands of the upper classes of the cities. What they will do is to illustrate public expectations as to the semi-voluntary deployment of that wealth on building, the provision of shows or food, offerings and sacrifices, or embassies to a king—in short, the system of *euergetisme* whose importance in the early Hellenistic city was adumbrated by Paul Veyne.⁸⁵ These values and expectations—and the specific roles performed—can legitimately be compared across a whole range of cities. Simply by way of example, I offer a translation of one of these honorific decrees, which comes from Erythrae and probably dates to the 330s, just before the opening of the Hellenistic period proper:⁸⁶

It was voted by the Council and People on the proposal of the Prytaneis, Generals, and Auditors. Since Phanes, son of Mnesitheus, is a good man and both shows every willingness in being constantly well disposed towards the People of Erythrae and has contributed money without interest both towards the sending away of the soldiers and the razing of the acropolis, it has seemed right to the Council to crown Phanes son of Mnesitheus with a gold crown worth fifty Philipptic staters, and to proclaim this at the Dionysia. Zenodotus the *agonothete* is to see to the proclamation. He [Phanes] should be granted maintenance in the *prytaneion*. This decree is to be inscribed on two *stelai*, of which one is to be placed in the sanctuary of Athena and one in the sanctuary of Heracles, so that all may know that the People knows how to return appropriate thanks for the benefits [*euergetemata*] conferred on it.

It was precisely this perfectly conscious and explicit convention of the

repayment of concrete benefits (in this case, it seems, simply bribing a Persian, or perhaps early Hellenistic, garrison to go away) with honours and ceremonial rights and the immortalisation of these on stone in appropriate places, which was the source of so many of the tens of thousands of public inscriptions surviving from the Greek cities. Taken individually, they may often do no more than allude to elements of social, economic, and religious life; the use of a particular currency, the observance of festivals, the role of city officials, public maintenance for them and a variety of honorands in the *prytaneion*, or the existence of certain important sanctuaries. Taken collectively, they may allow the exploration of a vast, but not infinite, range of questions about ancient Greek society and its institutions; and all the more so if considered along with literary, numismatic, and archaeological evidence.⁸⁷ Given the volume and complexity of the epigraphic evidence and the various strategies available for approaching it—whether on a local basis, or by studying vocabulary, concepts, and ideologies, or by isolating particular institutions—there is almost infinite scope for exploring what the inscriptions do tell us, whether explicitly in what they report or implicitly in the fundamental structures of the values and assumptions which they embody. In the vast mass of the inscriptions of the Greek cities and sanctuaries, above all in Asia Minor, which stretch from the fourth century B.C. to the third century A.D., we can for once perhaps afford not to worry too much about the many areas of social and economic life to which they will only allude (or which they will pass over altogether) until we have explored more fully how much they do convey.

In one particular area the (relatively) unexplored possibilities are obvious, namely the religious life of the cities. Naturally there has been a vast range of studies of particular aspects, including collections of the sacred regulations from Greek cities.⁸⁸ But the standard modern work on Greek religion is not alone in its tendency, when it reaches the Hellenistic and Roman period, to concentrate on the general and the abstract, on “ruler cult,” philosophy, oriental cults, monotheistic tendencies, or astrology.⁸⁹ In other words the tendency is to select out those aspects which seem to represent religious systems logically comparable to Christianity. To do so is to fail to do any real justice to the complex cult and ceremonial institutions of the communal life of the Greek cities.⁹⁰ For any enquiry into this area the inscriptions are central, not only for the vast range of customs and institutions on which they contain information, but also for the religious concepts, values, and distinctions which they explicitly and implicitly express.⁹¹

For reasons which it would be very interesting—if exceedingly difficult—to explore, the voting and putting up of monumental inscriptions, though still known, ceased to be so distinctive a feature of Greek city life after the third century A.D.⁹² The spread of Christianity and the increasing dominance, and (apparently) increasing demands, of the Roman state and its representatives were clearly all of some relevance here. We may however note, in leaving this area, a perfect example, from an inscription, of the transference into the role of bishop of the values of secular city life. The inscription comes from Laodicea Combusta in Phrygia and dates to the crucial turning point, the reign of Constantine.⁹³

I, M. Julius Eugenius, son of Cyrillus Celer of Kouessos, town councillor, having served on the governor's staff in Pisidia and having married Flavia Iulia Flaviane, daughter of Gaius Nestorianus, a senator, and having served honourably in the meantime, when an order went out under Maximinus that the Christians should sacrifice and not be allowed to resign the service, endured very many torments and succeeded in leaving the service under the governor Diogenes while keeping the Christian faith. After staying in Laodicea for a short time I was by the will of the all-powerful God installed as bishop. For twenty-five years I administered my bishopric with much honour, built the whole church from the foundations, and also all the surrounding ornamentation, consisting of porticoes and tetraporticoes and paintings and mosaics and a fountain and gateway, and fitted it all with dressed stone, and in a word with everything. Being about to depart from human life, I have made for myself a plinth and tomb, on which I have had the foregoing inscribed to the glory of the church and my family.

The Latin World

Turning away from the central areas of Greek culture, it is worth noting that the region of which the most complete and thoroughly edited collection of Greek inscriptions has been made is present-day Bulgaria.⁹⁴ But when we come to the Latin-speaking world it must be stressed that although in many areas inscriptions are of prime importance—sometimes as limiting cases in the way discussed earlier—they rarely rise to either the complexity of content or the density of concentration found in the inscriptions of the Greek cities. In the history of Rome for example, though, as we saw, public inscriptions had begun even in the regal period, neither the inscribing of laws or

regulations nor the presentation on inscriptions of individual careers became a major feature until quite late in the Republic. The career inscription, giving a man's public offices in great detail, is a distinctive phenomenon of the imperial period. None the less the Republican inscriptions of Rome and Italy are prime documents for the history of the Latin language, as they are also for its orthography and spelling, and must therefore be studied on the stones or at any rate with the aid of photographs.⁹⁵ The relatively few extensive texts embodying laws or decrees of the Senate begin in the second century B.C. and have been collected and discussed many times.⁹⁶ There is still room, however, for treatments of these texts which do not aim so much at either restoration of lost sections (often involving prolonged and fruitless arguments about line lengths) or reconstructions of their political context and purpose, as at using them as evidence for the history of language and (as mentioned earlier in "Epigraphy and Literature") at understanding their composition as texts. Even more profound ambiguities attend the question of what can be considered a companion group of texts, the so-called municipal laws of the late Republic. We owe to the late M. W. Frederiksen a fundamental discussion of the nature of these documents. Are they in fact "laws," generated in some way from the centre of power in Rome? How and from what sources was each text as we have it put together? When, by whom, and for what reason was it inscribed?⁹⁷ Not all of the questions which were thus so effectually opened up have yet been answered. It will not seem paradoxical, in view of what has been said here, that a significant proportion of the most detailed, clear, and explicit republican documents is in fact drawn from the repertoire of the epigraphy of the Greek cities and is thus available to us only in Greek translation.⁹⁸ The inter-play between Greek and Latin as the vehicles of official prose, in both the republican and the imperial periods, thus becomes a major historical subject in its own right.⁹⁹ The volume of these texts (and the difficulty of the problems associated with them) has been considerably increased by the publication in 1974 of several extensive new sections, found at Cnidus, of the Roman "pirate law" of circa 100 B.C.¹⁰⁰ As noted earlier (text to n. 43) the important new series of republican documents in Greek from Aphrodisias also brings extensive further evidence, and further problems. But, the major individual documents apart, there are only limited categories of inscriptions which are important for the history of the Republic. One such category, which is best considered as being even closer to literature than most others, is the historical (or pseudo-historical)

inscriptions put up in Rome and representing one aspect of the Augustan revival: the lists (*fasti*) of the pairs of consuls since the beginning of the Republic and of the *triumphatores* (the generals who celebrated a triumph in Rome); and also the *elogia* (eulogies) recording the achievements of the great military commanders of the Republic, which were designed to accompany the statues of these men put up in the Forum of Augustus.¹⁰¹ As contemporary products, direct documentary parallels to the literary works of Virgil and Livy, these are of great interest. As “documentary” attestations of alleged historical facts their status cannot be any higher than that of the literary sources of the same period.

The epigraphic record of the Roman Republic in the provinces is still sparse, except—as always—in the Greek East,¹⁰² and it is perhaps only in the rapidly developing epigraphic material of Italy, which can be followed in the annual survey “Rivista di epigrafia italica,” published since 1973 in *Studi Etruschi*, that it is beginning to be possible to trace major themes (cf. also text to n. 25).

It is one of the most marked features of the culture of the imperial period that this situation alters progressively. In the East, as mentioned earlier, the mass of city inscriptions continues as before, closely associated, above all in the second century A.D., with very extensive public building. From the first century A.D. onwards the same is true of Latin-speaking North Africa, contrasting sharply with the almost total absence of epigraphic record from the first one and a half centuries of Roman rule there. It is obvious that in a general way the putting up of inscriptions was a quite important facet of the city life which was characteristic of the Graeco-Roman world, and therefore spread steadily along with urbanisation. Thus we have a substantial harvest of inscriptions also from the Mediterranean coast of Spain and from the south (Baetica/Andalusia), and progressively less until we reach the north-west, which seems hardly to have been touched by Graeco-Roman patterns of life at all. Gaul too, while some Latin inscriptions are found in all regions, produces relatively few, and only a very short list of extended documents of individual importance: the best known are the famous bronze tablet from Lyon with the text of the emperor Claudius’ speech on the admission of Gallic nobles to the Senate,¹⁰³ and a complex document of the 230s honouring one Sennius Sollemnis.¹⁰⁴ But from Britain, whose civil and military inscriptions have been collected and edited with exceptionally lavish care,¹⁰⁵ to Dalmatia and the middle Danube, the scattered Latin

inscriptions, often slight and insignificant in themselves, are the primary evidence for the spread of Roman civilisation, the Latin language, and the institutions of the self-governing town. They also provide evidence (for example) for nomenclature, occupations, and the observation of the cults of local or imported deities. But it is important to stress once again that the historical value of relatively scattered inscriptions can only be indicative or illustrative. Valid negative conclusions can almost never be drawn from such evidence; in France in particular the fact of continuous occupation of urban sites in the intervening centuries means that no negative conclusions or even statistical inferences can ever be drawn from what happens to survive. The double-negative form of argument can, however, be validly used. If (for instance) even a few persons used Latin to scratch imprecations on lead tablets deposited in Gloucestershire,¹⁰⁶ it follows that it cannot be argued that Latin was in use in Britain only in official or military contexts.

Even more than in the Greek East there is much that we can never hope to learn from the epigraphy of the Latin West. None the less, it is a historical fact of the greatest importance that the Roman period saw the spread of forms of city or communal self-government, invariably using Latin; in consequence it is possible to collect and analyse the surviving texts of municipal decrees.¹⁰⁷ The most vivid evidence for local self-government comes from the well-known *leges* (charters?) of Domitian's reign from Baetica in Spain. These documents, which preserve extensive, and partly overlapping, extracts from the constitutional codes of several *municipia* (cities with Roman-style constitutions), suffer from a lack of comparative material, and leave unanswered fundamental questions about the authorship or legal source of the codes (delivered by the emperor or the governor of Baetica or generated locally?), the degree of innovation intended (since both places had magistrates in office already), and the relation of the production of these codes to the two towns' status as *municipia*—a term whose definition is controversial—and to their possession of "Latin rights."¹⁰⁸ The two texts, which have not been re-studied in detail for some time, would deserve an epigraphical and historical re-examination. At the moment, granted that we know that there were many Punic towns in the western Mediterranean (of which Malaca had been one, according to the geographer Strabo), which must also in their Punic phase have had "constitutions," and that we can find also communities, like the Vanacini in Corsica,¹⁰⁹ with the institutions of local self-government but without either of the specifically Roman

statuses of *municipium* or *colonia*, the whole question of the “Romanisation” of communal institutions in the West remains in a state of conceptual confusion.

However, it is precisely in the Roman Empire that the detailed study of the formal types of information which inscriptions are designed to reveal has been most successfully pursued. The genre of the honorific inscription, immortalising the record of a man’s offices, statuses, and (sometimes) benefactions, continued to be very common in the East, and also spread to the West. On the one hand the carefully graded *cursus* or “career” laid down for Roman senators in the Republic and expanded by a large number of new functions under the Empire, comes to be illustrated by literally hundreds, perhaps thousands, of inscriptions giving the offices held by individuals. On the other hand the honorific inscriptions from towns in Italy and the provinces, both Greek- and Latin-speaking, reveal the major historical development that people from many (though not all) of these places served as “equestrian” officers in the Roman army, or rose higher into the so-called equestrian civil service which developed in the first century and a half of the Empire. This relative openness of access to Roman offices is a very significant aspect of the political character of the Empire. A nexus thus developed between office-holding and *euergetisme* (see text to n. 85) in small towns, service as an officer in the Roman army, posts as an equestrian civil official, the rank of senator, and even the position of emperor. The link between local institutions, the imperial service, and the patronage of the emperor is nowhere better illustrated than in the Latin inscription of Q. Domitius Marsianus, put up in his home town, Bulla Regia in the province of Africa, in the 170s A.D.:¹¹⁰

To Q. Domitius Marsianus, son of Lucius, tribe Quirina, procurator of Augustus of the *patrimonium* [imperial property] of the province of Narbonensis, procurator of Augustus for the iron mines, procurator in Gaul for receiving the census declarations of the province of Belgica throughout the districts of the Tungri and Frisavones and of Germania Inferior and of the Batavi, *praefectus militum* [commander of an auxiliary unit], adlected into the *decuriae* [jury panels in Rome] by the Emperors M. Aurelius Antoninus and L. Aurelius Verus, Caesares. When the Town Council had voted to put up an equestrian statue of him at public expense, his brother L. Domitius Fabianus erected it at his own expense, thus sparing expenditure on the part of the city.

Copy of the *codicilli* (letter of appointment):

Caesar Antoninus Augustus to his own Domitius Marsianus greetings. Having long since been eager to promote you to the splendour of a ducenariate procuratorship, I am now making use of the opportunity which presents itself. Succeed therefore to Marius Pudens with an expectation of my unfailing favour so long as you retain the conscious possession of probity, diligence, and experience. Farewell my Marsianus, dearest to me.

The inscription comes in fact from the base of the equestrian statue (which has not survived) which stood in Bulla Regia to record for his fellow citizens the favour which Marsianus had earned in the imperial service. His brother Fabianus, if not actually a member of the city council (as he probably was), was at least a well-off resident of the town. The inscription thus offers a very clear example of the roots in local communal life which are a primary characteristic of those who entered the imperial service. But there is a catch here which typifies the limits of what epigraphical evidence can tell us. For in a very large number of cases we owe our knowledge of the careers, and indeed of the existence, of these men precisely to the fact that a local community had some motive to commemorate them on an inscription. If there were men who rose in the imperial service but retained no local roots, and neither kept a family connection nor served as town councillors or annual officials nor held priesthoods nor acted as a *patronus* of the town, the chances of their being recorded on inscriptions will have been greatly reduced.

A rather similar limitation affects imperial letters, of which one subcategory, the imperial letter of appointment addressed to a member of the senatorial or equestrian order, is best represented by Aurelius' letter in this inscription. No one ever recorded in an inscription an imperial letter informing him that he could *not* have a particular post; and similarly cities never put up inscriptions displaying imperial letters rejecting requests or informing them that they had lost a dispute with a neighbouring city. We have a small number of documentary texts of such letters only because cities involved in disputes sometimes inscribed unfavourable letters or replies addressed to their neighbours, which were therefore implicitly or explicitly favourable to themselves.¹¹¹ None the less, the genre of the imperial letter, together with the more informal type of imperial reply known as a *scriptio*, is represented by several hundred documentary texts in both Latin and Greek, preserved on inscriptions and papyri and in legal and literary sources, and is therefore both a

sub-literary type, which deserves study in its own right, and a prime source for the nature of the Roman Empire as a system.

The Marsianus inscription is unusually rich in both giving the text of the imperial letter and retailing the circumstances of the erection of the statue (which will not have been wholly unlike the famous one of Marcus Aurelius from the Capitol). More commonly, such inscriptions concentrate on the successive steps of the man's career—often in reverse chronological order to bring the most important posts to the beginning. In spite of the many severe limitations on what these inscriptions *can* by their nature tell us—limitations frequently not recognised in modern work, as we shall see—there is no question of the scale and importance of the information which, by retailing equestrian and senatorial careers, they have revealed about the workings of the Empire. The two editions of the *Prosopographia Imperii Romani* (1897–98 and 1933 onwards, so far up to P) bear witness to the vast store of information from this and other sources which has now been reduced to intelligible order.¹¹² Given the steady flow of new inscriptions, the technical work of compiling lists of the holders of particular offices, recording the earliest or latest appearance of a particular office, following the rise of successive generations of a family, and so forth, can continue indefinitely. There are also a number of broad and indisputable historical conclusions which arise from this material. Firstly, an equestrian “career” following a succession of posts in (at least) roughly graded orders of seniority and prestige did evolve in the course of the first century and a half.¹¹³ Secondly, entry to equestrian posts and the Senate was gained by men from many (but, so far as the inscriptions can tell us, not all) provincial areas. Thirdly, the career of Marsianus, which took him solely to the region of Gaul, seems to have been exceptional, in that both equestrian and senatorial careers generally show a marked absence of geographical specialisation. If we take the usual characteristics of the succession of posts followed as our evidence, then in this respect the Empire seems to have been an integrated system, which showed no tendency to regional compartmentalisation.

Our difficulties arise as soon as we step outside the confines of the formal evidence actually presented to us by those inscriptions which happened to be created in the ancient world and happen to have been preserved and to have been published in the modern era. Is our picture of the geographical areas from which *equites* and senators came simply dictated by the accident of what happened to be

inscribed? Or could we reasonably relate the communal investment in monumental inscriptions to the social conditions which would allow at least some families in a local community to rise into the equestrian service and the Senate—and thus regard them as parallel products of socioeconomic conditions which were present in some places and not in others? Or again, even if such varying regional patterns really existed and are significant to us, were they of any conscious significance at the time? Marcus does not imply that it was of any importance to him that Marsianus came from Bulla Regia, or from the province of Africa. It is we who impose the categories of “the African contribution to the imperial service” or suppose (for instance) that Hadrian might have favoured Italians as opposed to provincials in appointments to the senatorial office of *praefectus aerarii Saturni* (prefect of the *aerarium* of Saturn—the state treasury in Rome). But even if we can be sure of the identification of men’s local origins (as we can with Marsianus, but often cannot), we have no clear indications that such categories had any relevance at all to the appointments made by emperors. These and similar ambiguities, both statistical and conceptual, haunt—and have so far almost entirely vitiated—all attempts to go beyond the formal records which the inscriptions present, to conclusions involving choices, values, and intentions.¹¹⁴

The same ambiguities attend all attempts to interpret the succession of posts previously held by a man as the basis of his specific claims (in terms of relevant experience or qualifications) to a more senior post. But the fact that a list of posts is the only evidence which we happen to have does not mean that we should be confident that it provides a sufficient explanation, or any explanation at all. We can never know the relevance of personal qualities (including quiescence and lack of dangerous ambitions), family background, the influence of intermediaries, or simply the fact of having been available and of the right seniority at the right time. It may be indicative that Aurelius’ letter—one of the rare items of evidence which even alludes to the motives of imperial choice—implies that the promotion was a personal favour, dependent on the personal moral and social qualities of the recipient. Personal patronage may or may not have been an important factor; but what is clear is that the formal evidence of the inscriptions fully demonstrates a pattern of variety rather than concentration of “relevant experience” in the case (say) of prefects of Egypt¹¹⁵ and in general fails to show consistent patterns of promotion in equestrian careers.¹¹⁶ The same difficulties of interpretation attend

senatorial careers. Were men picked for their abilities? If they rose rapidly—that is, gained the consulate early or had few intermediate posts—is that a sign of the recognition of their abilities? But, if so, their background “experience” when they reached the major military posts will have been less, not greater.¹¹⁷ Or (again) did men rise by virtue of their social background, connections, or personal charms? But in any case the whole area may be one of conceptual confusion, for we may be imposing irrelevant and anachronistic categories on the business of holding public office, which may have been a prize to be won and exploited, a recognition of wealth and social status, or a burden to be avoided. All that is clear is that the genre of the monumental inscription, formally listing a man’s successive offices, is a very distinctive feature of the society and culture of the High Empire. It would well deserve study as such, in particular because it is not, to anything like the same degree, characteristic of either the preceding or the following period.

It is worth the emphasis given here partly because it is a specific instance of the wider phenomenon of the place of inscriptions in the culture of the ancient world, and partly because it offers a particularly clear example both of the extensive information which inscriptions can make available when treated collectively and of the dangers which lurk everywhere as soon as we go beyond the formal analysis and arrangement of that information and attempt wider historical and social judgements. To take only one example, there is no harm in pursuing the much-practised genre of assembling the names, dates, and careers of those who held office in a particular province.¹¹⁸ Such a study will always be useful as a work of reference. But as soon as we ask—and attempt to answer from the career inscriptions—(say) what sort of men the emperor sent to Britain and on what principles his selection was based, we enter issues which touch on the values of the entire society, and which we can solve, if at all, only by the consideration of all the other evidence.

Very similar problems would emerge if we were to look in detail at the vast epigraphic (and papyrological) documentation now available for the structure and working of the Roman army in the High Empire. A significant proportion of the evidence owes its existence to the same very important element in imperial culture, the honorific inscription. This genre of inscription, for instance, provides our only substantial body of evidence for what was evidently a highly important class of office-holders whose rank came just below—and overlapped with—

that of *equites*, namely the centurions and “first centurions” who might rise from the ranks or might be directly commissioned, and might proceed further in a form of career known only from inscriptions, to important equestrian civil positions. The framework of a significant element in the Roman state is thus revealed—but, equally, basic questions about functions, social background, and criteria for promotion must remain unanswered.¹¹⁹

This survey of the inscriptions from the Graeco-Roman world and their uses to the historian cannot do justice to the sheer volume of the surviving examples or to their infinite variety of type and scale; probably the most common single type of inscription from the Latin West, for instance, is the brief tomb inscription of a private individual who held no public office. It is, of course, this genre which has lasted most successfully into the modern world and continues to have a place in contemporary culture. The ancient tomb inscription, for instance, like the modern, very commonly mentioned the person’s age at death. So, granted the enormous number of such inscriptions, do we for once dispose of a valid body of statistical data, illuminating the fundamentally important question of the expectation of life in the ancient world? The answer appears to be no, for the graphs thus produced are both impossible in their overall patterns and tend to show a marked concentration on ages of death which are multiples of five. In other words, what the epitaphs reveal is not an objective sample of ages at death but a pattern produced by choices as to who was commemorated; they also cast light on wider social issues such as the level of literacy.¹²⁰

But it is the formal monumental inscription—containing a law, communal decision, letter from a superior, regulation of cult practices, accounts of a temple, or vote of honours—which is the most distinctive and historically important product of the role in ancient culture of the inscribing of words on stone or bronze. The motives for the inscription of particular documents are quite often made explicit in the documents themselves without our thereby being enabled to understand the very marked prevalence of the public inscription in ancient society as a whole, or what deductions we should draw from this evidence about the extent of popular literacy. All that is clear is that each and every public inscription is the result of a deliberate choice, whether motivated by the need to proclaim rules or privileges in permanent form or to give equally permanent expression to the highly competitive value systems of most ancient communities. This

explicit and formal character is both the great strength and the limitation of the inscriptions as historical evidence. But whatever caution must be observed in drawing conclusions from them, the ever-growing mass of inscriptions in Greek and Latin, and also in other languages, from the ancient world still represents a major cultural phenomenon in itself.¹²¹ Some branches of it also can and should be considered as minor (but, in bulk, very extensive) literary genres, which provide a whole range of deliberately composed prose and verse to set against the remains of ancient literature surviving in the manuscript tradition. But the extent of the latter, however inexhaustible its interest, can only increase marginally, largely through the publication of papyrus fragments. Epigraphy provides our most direct access to ancient society and culture, and shows every sign of being able to add indefinitely to the stock of available texts. It thus represents the best guarantee we have that our understanding of the ancient world need never be static.

NOTES

* First published in M. Crawford, ed., *Sources for Ancient History* (Cambridge, 1983), 80–136.

1. L. Robert, “Épigraphie,” in *L’histoire et ses méthodes* (*Encyclopédie de la Pléiade*, Paris, 1961), 453–97; German translation by H. Engelmann, *Die Epigraphik der klassischen Welt* (Bonn, 1970), with added notes by Robert.

2. Note the valuable work of A. Calderini, *Epigrafia* (Turin, 1974), which would provide an excellent orientation in this field for anyone undertaking research in any area of Graeco-Roman history.

3. The essay by Robert mentioned in n. 1 is almost entirely devoted to Greek epigraphy. More systematic surveys are given by G. Klaffenbach, *Griechische Epigraphik*² (Göttingen, 1966), and G. Pfohl, ed., *Das Studium der griechischen Epigraphik* (Darmstadt, 1977). Note also A. G. Woodhead, *The Study of Greek Inscriptions*² (Cambridge, 1981). The fullest survey of the types of material is M. Guarducci, *Epigrafia greca I–IV* (Rome, 1967–78), who reproduces and discusses a large number of texts, with illustrations.

4. See I. Calabi Limentani, *Epigrafia Latina con un appendice bibliografica di Attilio Degrassi* (Milan, 1968), and E. Meyer, *Einführung in die lateinische Epigraphik* (Darmstadt, 1973). The classic work of R. Cagnat, *Cours d’épigraphie latine*⁴ (Paris, 1914), has still not been replaced as an introduction to the subject. See now G. L. Susini,

Epigrafia romana (Rome, 1982).

5. The standard, and very good, introduction to papyrology is E. G. Turner, *Greek Papyri* (rev. ed., Oxford, 1980) with his *Greek Manuscripts of the Ancient World* (Oxford, 1971). Note also O. Montevecchi, *La papirologia* (Turin, 1973; suppl., 1988).

6. An index to the *Bulletin Épigraphique* has now been published in various parts: *Index du Bulletin Épigraphique de J. et L. Robert, 1938–65*, I: *les mots grecs* (Paris, 1972); II: *les publications* (Paris, 1974); III: *les mots français* (Paris, 1975); *Index du Bulletin Épigraphique de J. et L. Robert, 1966–73*, IV (Paris, 1979).

7. For Ai Khanum, see L. Robert, “De Delphes à l’Oxus: Inscriptions grecques nouvelles de la Bactriane,” *CRAI* (1968): 416; for the Black Sea region, note, e.g., V. V. Struve, *Corpus Inscriptionum Regni Bosporani* (Leningrad, 1965).

8. See the fully illustrated collections by A. Bernand: (1) (with E. Bernand), *Les inscriptions grecques et latines du Colosse de Memnon* (Paris, 1960); (2) *Les inscriptions grecques et latines de Philae I–II* (Paris, 1969); *De Koptos à Kosseir* (Leiden, 1972); (3) *Le Paneion d’El-Kanais: les inscriptions grecques* (Leiden, 1972); *Pan du désert* (Leiden, 1977); E. Bernand, *Recueil des inscriptions grecques du Fayoum I* (Leiden, 1975), II–III (Leiden, 1981).

9. The documentary evidence for linguistic usage in Palestine (which also includes the well-known papyri and parchments from the Judaean desert and Qumran) is summed up in E. Schürer, *History of the Jewish People in the Age of Jesus Christ II*, ed. G. Vermes, F. Millar, and M. Black (Edinburgh, 1979), 20–28. See now H. M. Cotton, W. E. H. Cockle, and F. G. B. Millar, “The Papyrology of the Roman Near East: A Survey,” *JRS* 85 (1995): 214.

10. See F. Millar, “Local Cultures in the Roman Empire: Libyan, Punic and Latin in Roman Africa,” *JRS* 58 (1968): 126.

11. E.g., M. G. Guzzo Amadasi, *Le iscrizioni fenicie e puniche delle colonie in Occidente* (Rome, 1967), 133, no. 8.

12. For examples, see J. B. Chabot, *Choix d’inscriptions de Palmyre* (Paris, 1922), and note M. G. Bertinelli Angeli, *Nomenclatura pubblica e sacra di Roma nelle epigrafi semitiche* (Genoa, 1970).

13. The standard collection is *Corpus Inscriptionum Semiticarum* (CIS) (Paris, 1881–). Note also G. A. Cooke, *A Textbook of North-Semitic Inscriptions* (Oxford, 1903), and H. Donner and W. Röllig, *Kanaanäische und aramäische Inschriften*³ I–III (Wiesbaden, 1973).

14. G. Neumann and J. Untermann, eds., *Die Sprachen im römischen Reich der Kaiserzeit*, Beihefte der *Bonner Jahrbücher* 40 (1980).

15. O. Haas, *Die phrygischen Sprachdenkmäler* (Sofia, 1966).

16. For this phenomenon, see, e.g., H. G. Horn and C. B. Rüger, eds., *Die Numider* (Bonn, 1979), 107.

17. For a relatively recent example, see the discussion by K. H. Schmidt, "The Gaulish Inscription of Chamalières," *Bulletin of the Board of Celtic Studies* 29 (1981): 256.

18. For the initial publication, see CRAI (1974): 82 (the Greek text); 115 (Lycian); 132 (Aramaic). The final report is *Fouilles de Xanthos VI: la stèle trilingue du Letoon* (Paris, 1979), 33ff. (the Greek inscription); 49ff. (Lycian); 129ff. (Aramaic). The correct date is that established by E. Badian, "A Document of Artaxerxes IV," in K. H. Kinzl, ed., *Greece and the Eastern Mediterranean in Ancient History and Prehistory: Studies Presented to F. Schachermeyr* (Berlin, 1977), 40.

19. The Greek text is republished in SEG XX, 326, and, with a French translation, by J. Pouilloux, *Choix d'inscriptions grecques* (Paris, 1964), no. 53, and both texts are reproduced and discussed by G. Pugliese Carratelli and G. Garbini in *A Bilingual Graeco-Aramaic Edict by Asóka* (Rome, 1964). Note also R. Thapar, *Asóka and the Decline of the Mauryas* (London, 1961; 2nd ed., Oxford, 1997).

20. Published and discussed contemporaneously by D. Schlumberger, "Une nouvelle inscription grecque d'Açoka," CRAI (1964): 1, and by E. Benveniste, "Édits d'Asóka en traduction grecque," *Journal Asiatique* 252 (1964): 137.

21. Note however J. Harmatta, "Zu den griechischen Inschriften des Asoka," *Acta Ant. Acad. Sc. Hung.* 14 (1966): 77, and R. Schmitt, "EX OCCIDENTE LUX. Griechen und griechische Sprache in hellenistischen Fernen Osten," in P. Steinmetz, ed., *Beiträge zur hellenistischen Literatur und ihren Rezeption in Rom* (1990), 41.

22. A. Maricq, "Res Gestae Divi Shaporis," *Syria* 35 (1958): 295; the Greek text is reproduced in SEG XX, 324. Note M. G. Bertinelli Angeli, "In margine alle Res Gestae Divi Saporis," *Parola del Passato* 27 (1972): 40.

23. Note, e.g., M. Rostovtzeff, "Seleucid Babylonia: Bullae and Seals of Clay with Greek Inscriptions," YCS 3 (1932): 1; A. K. Grayson, *Assyrian and Babylonian Chronicles* (Locust Valley, N.Y., 1975); G. J. P. McEwan, *Priest and Temple in Hellenistic Babylonia* (Wiesbaden, 1981). There is considerable further evidence in both languages.

24. Syll.³ 64; IG I², 39; R. Meiggs and D. M. Lewis, *Greek Historical Inscriptions* (Oxford, 1969), no. 52; now re-edited by D. M. Lewis in IG I³ (1981), no. 40. Photograph in B. D. Merritt, H. T. Wade-Gery, and M. F. McGregor, *The Athenian Tribute Lists II* (Cambridge, Mass., 1949), pl. 10.

25. See, e.g., E. Pulgram, *The Tongues of Italy: Prehistory and History* (Cambridge, Mass., 1958), and *Italic, Latin, Italian, 600 B.C.–A.D. 1260: Texts and Commentaries* (Heidelberg, 1978); E. Vetter, *Handbuch der italischen Dialekte I* (Heidelberg, 1953); P. Poccetti, *Nuovi documenti italici* (Pisa, 1979).

26. See H. Mihaescu, *La langue latine dans le sud-est de l'Europe* (Bucharest, 1978).

27. See, e.g., V. Väänänen, *Le latin vulgaire des inscriptions pompéiennes*³ (Berlin, 1966), and *Introduction au latin vulgaire*² (Paris, 1967).

28. See R. Marichal, *Les ostraca de Bu Njem* (Tripoli, 1992).

29. See M. Gigante, *Civiltà delle forme letterarie nell' antica Pompeii* (Naples, 1979).

30. *L'onomastique latine*, Coll. Int. du CNRS, no. 564 (1977).

31. P. M. Fraser, "The Son of Aristonax at Kandahar," *Afghan Studies* 2 (1979): 9.

32. See, e.g., L. H. Jeffery, *Local Scripts of Archaic Greece* (Oxford, 1961), 235–36 and pl. 47; Meiggs and Lewis (n. 24), no. 1.

33. J. Naveh, "The Greek Alphabet: New Evidence," *Biblical Archaeologist* 43 (1980): 22.

34. See F. Coarelli, "Il Comizio dalle origini alla fine della Repubblica," *Parola del Passato* 32 (1977): 166; note the survey by T. J. Cornell, "Rome and Latium Vetus, 1974–79," *Archaeological Reports for 1979–80* (1980), 71ff., on pp. 83–84.

35. M. Torelli, "Il santuario di Hera a Gravisca," *Parola del Passato* 26 (1971): 44; F. D. Harvey, "Sostratos of Aegina," *Parola del Passato* 31 (1976): 206; J. Boardman, *The Greeks Overseas*³ (London, 1980), 206.

36. See J. Heurgon, "The Inscriptions of Pyrgi," *JRS* 56 (1966): 1.

37. J. Heurgon, "Inscriptions étrusques de Tunisie," *CRAI* (1969): 526; O. Carruba, "Nuova lettura dell' iscrizione etrusca dei cippi di Tunisia," *Athenaeum* 54 (1976): 163.

38. Note for instance the compilation by R. Chevallier, *Épigraphie et*

littérature à Rome (Faenza, 1972).

39. For relevant analyses, see D. Daube, *Forms of Roman Legislation* (Oxford, 1956); A. Watson, *Law Making in the Later Roman Republic* (Oxford, 1974). But see now A. N. Sherwin-White, "The Lex Repetundarum," *JRS* 72 (1982): 18.

40. T. L. Shear, *Kallias of Sphektos and the Revolt of Athens in 286 B.C.* (*Hesperia* Supp. XVII, 1978).

41. See Chr. Habicht, *Untersuchungen zur politischen Geschichte Athens im 3. Jahrhundert v. Chr.* (Munich, 1979); M. J. Osborne, "Kallias, Phaidros and the Revolt of Athens in 287 B.C.," *ZPE* 35 (1979): 181.

42. R. Étienne and M. Piérart, "Un décret du Koinon des Hellènes à Platées en l'honneur de Glaucon, fils d'Étéoclès, d'Athènes," *BCH* 99 (1975): 51; J. Pouilloux, "Glaucon, fils d'Étéoclès d'Athènes," *Le monde grec: hommages à Claire Préaux* (Brussels, 1975), 376. This inscription is also translated in the excellent collection by M. M. Austin, *The Hellenistic World from Alexander to the Roman Conquest* (Cambridge, 1981), no. 51.

43. Joyce Reynolds, *Aphrodisias and Rome* (London, 1982), doc. 8.

44. ILS 8393; M. Durry, *Éloge funèbre d'une matrone romaine* (Paris, 1950); new edition with photographs by E. Wistrand, *The So-Called Laudatio Turiae* (Göteborg, 1976). See N. M. Horsfall, "Some Problems in the 'Laudatio Turiae,'" *BICS* 30 (1983): 85.

45. R. D. Anderson, P. J. Parsons, and R. G. M. Nisbet, "Elegiacs by Gallus from Quasr Ibrîm," *JRS* 69 (1979): 125, with pls. 4–6.

46. W. Seston and M. Euzennat, "Un dossier de la chancellerie romaine, la *Tabula Banasitana*, étude de diplomatique," *CRAI* (1971): 468; A. N. Sherwin-White, "The *Tabula* of Banasa and the *Constitutio Antoniniana*," *JRS* 63 (1973): 86; W. Williams, "Formal and Historical Aspects of Two New Documents of Marcus Aurelius," *ZPE* 17 (1975): 37 on pp. 56–57; F. Millar, *The Emperor in the Roman World* (London, 1977), 130, 216, 223, 261–62, 473; U. Schillinger-Häfele, "Der Urheber der Tafel von Banasa," *Chiron* 7 (1977): 323.

47. G. E. M. de Ste Croix, "'Suffragium': From Vote to Patronage," *British Journal of Sociology* 5 (1954): 33.

48. For a brief indication of the novelty and importance of the Tetrarchic edicts, see Millar (n. 46), 257–58. See now S. Corcoran, *The Empire of the Tetrarchs: Imperial Pronouncements and Government* (Oxford, 1996).

49. See T. Honoré, “‘Imperial’ Rescripts AD 193–305: Authorship and Authenticity,” *JRS* 69 (1979): 51 on pp. 60–63, and *Emperors and Lawyers* (London, 1981; 2nd ed., Oxford, 1994), chap. 4.

50. For a full text as known to that date, with extensive commentary, see S. Lauffer, *Diokletians Preisedikt* (Berlin, 1971); note also M. Giacchero, *Edictum Diocletiani et Collegarum de Pretiis Rerum Venalium* (Genoa, 1974). Extensive epigraphic work on the texts, especially that from Aphrodisias, is, however, still in progress. See K. T. Erim and Joyce Reynolds, *JRS* 63 (1973): 99; J. Reynolds, *ZPE* 33 (1979): 46 (Aphrodisias); M. H. Crawford and J. M. Reynolds, *ZPE* 26 (1977): 125; 34 (1979): 163 (Aezani); *AE* (1977): 776–7 (Achaëa).

51. On the question of publication on stone and the importance of the role of the provincial governor, note M. H. Crawford and J. Reynolds, “The Publication of the Prices Edict: A New Inscription from Aezani,” *JRS* 65 (1975): 160. The geographical pattern there suggested is slightly extended by the publication of a new fragment from Odessus on the west coast of the Black Sea; see G. Mihailov, *Stele (Memorial to N. Kontoleon)* (Athens, 1980), 147.

52. K. T. Erim, J. Reynolds, and M. Crawford, “Diocletian’s Currency Reform: A New Inscription,” *JRS* 6 (1971): 171; see M. Crawford, “Finance, Coinage and Money from the Severans to Constantine,” *ANRW* II.2 (1975), 560, on pp. 578–81.

53. For an interesting historical study of the manumission inscriptions from Delphi, see K. Hopkins, *Conquerors and Slaves* (Cambridge, 1978), 133–34; for some Thessalian manumission documents, see B. Helly, “Actes d’affranchissements thessaliens,” *BCH* 99 (1975): 199, and “Lois sur les affranchissements dans les inscriptions thessaliennes,” *Phoenix* 30 (1976): 143.

54. These texts are reproduced, e.g., in *FIRA*² I, nos. 100–103; Tenney Frank, ed., *Economic Survey of Ancient Rome* IV (Baltimore, 1938), 83–102.

55. *FIRA*² I, nos. 104–5; translation and notes in Tenney Frank, ed., *Economic Survey of Ancient Rome* III (Baltimore, 1937), 167–74.

56. For instance, the invaluable work of R. Duncan-Jones, *The Economy of the Roman Empire: Quantitative Studies*² (Cambridge, 1982), is more accurately characterised by the second than the first half of its title.

57. E.g., L. Robert, *Études anatoliennes* (Paris, 1937); *La Carie* II (Paris, 1954) (by L. Robert and J. Robert); *Villes d’Asie Mineure*² (Paris,

1962); *À travers l'Asie Mineure* (Paris, 1980).

58. J. Pouilloux and C. Dunant, *Recherches sur l'histoire et les cultes de Thasos I–II* (Paris, 1954–58).

59. S. M. Sherwin-White, *Ancient Cos: An Historical Study from the Dorian Settlement to the Imperial Period* (Göttingen, 1978).

60. B. Helly, *Gonnoi I–II* (Amsterdam, 1973).

61. For Ostia there is the classic study of R. Meiggs, *Roman Ostia*² (Oxford, 1973); for Pompeii, see now P. Zanker, *Pompeii: Stadtbild und Wohngeschmack* (Mainz, 1995), translated as *Pompeii: Public and Private Life* (Cambridge, Mass., 1998). For work based on inscriptions and graffiti, note the work of Gigante (n. 29) and Väänänen (n. 27). See also H. Castrén, *Ordo Populusque Pompeianus: Polity and Society in Roman Pompeii* (Rome, 1975). The graffiti from Pompeii are collected in *CIL* IV and Supplements.

62. Chr. Habicht, *Altertümer von Pergamon VIII.3: die Inschriften des Asklepieions* (Berlin, 1969), with an exemplary historical introduction.

63. A. Rehm, *Didyma II: die Inschriften* (Berlin, 1958).

64. J. Crampa, *Labraunda: Swedish Excavations and Researches III.1–2*, and *The Greek Inscriptions* (Lund, 1969–72).

65. Volumes of inscriptions appear among the reports of the French excavations, *Fouilles de Delphes* III, in a series of separate fascicules divided by the architectural setting of the inscriptions and published at intervals since 1909.

66. R. Flacelière, *Les Aitoliens à Delphes* (Paris, 1937); G. Daux, *Delphes au II^e et du I^{er} siècles* (Paris, 1936).

67. The inscriptions are again published in the reports of the French excavations, *Inscriptions de Délos*, and so far run to 2,879 items. Note therefore G. Durrbach, *Choix d'inscriptions de Délos I.1–2* (Paris, 1921–22).

68. See, e.g., P. Roussel, *Délos, colonie athénienne* (Paris, 1916); or the important recent work of Ph. Bruneau, *Recherches sur les cultes de Délos à l'époque hellénistique et à l'époque impériale* (Paris, 1970).

69. In the series *Inschriften griechischer Städte Kleinasiens* and under the title *Die Inschriften von Ephesos* Ia (Bonn, 1979); II (Bonn, 1979); III–VI (Bonn, 1980); VII, 1–2 (Bonn, 1981).

70. See C. Foss, *Byzantine and Turkish Sardis* (Cambridge, Mass., 1976); *Ephesos after Antiquity: A Late Antique, Byzantine and Turkish City* (Cambridge, Mass., 1979).

71. W. S. Ferguson, *Hellenistic Athens: An Historical Essay* (London, 1911).

72. Chr. Habicht, *Athen: Geschichte der Stadt in hellenistischen Zeit* (Munich, 1995), translated as *Athens from Alexander to Antony* (Cambridge, Mass., 1997).

73. Note the massive recent commentary on this work by P. J. Rhodes, *A Commentary on the Aristotelian Athenaion Politeia* (Oxford, 1981).

74. W. S. Ferguson, *The Treasurers of Athena* (Cambridge, Mass., 1932).

75. P. J. Rhodes, *The Athenian Boule* (Oxford, 1972). Cf. B. D. Merritt and J. S. Traill, *The Athenian Agora XV: Inscriptions: The Athenian Councillors* (Princeton, 1974).

76. J. S. Traill, *The Political Organization of Attica: A Study of the Demes, Trittyes and Phylae and Their Representation in the Athenian Council* (*Hesperia* Suppl. XIV, 1975).

77. J. K. Davies, *Athenian Propertied Families, 600–300 B.C.* (Oxford, 1971).

78. See L. Deubner, *Attische Feste* (Berlin, 1932); A. W. Pickard-Cambridge, *The Dramatic Festivals of Athens*², rev. J. Gould and D. M. Lewis (Oxford 1968); H. W. Parke, *Festivals of the Athenians* (London, 1977). See now R. Parker, *Athenian Religion: A History* (Oxford, 1995).

79. *The Greek City from Alexander to Justinian* (Oxford, 1940).

80. Chr. Habicht, *Gottmenschentum und griechische Städte*² (Munich, 1970).

81. The collection by C. B. Welles, *Royal Correspondence in the Hellenistic Era* (New Haven, 1934), could now be greatly extended, for instance by the third-century letters from Labraunda (see n. 64).

82. E. Olshausen, *Prosopographie der hellenistischen Königsgesandten I: von Triparadeisos bis Pydna* (Louvain, 1974).

83. R. S. Bagnall, *The Administration of the Ptolemaic Possessions outside Egypt* (Leiden, 1976).

84. Note the classic, if perhaps too schematic, study of E. Bickerman, *Institutions des Séleucides* (Paris, 1938), and D. Musti, “Lo stato dei Seleucidi,” *Studi Classici e Orientali* 15 (1966): 61–200.

85. P. Veyne, *Le pain et le cirque: sociologie historique d'un pluralisme politique* (Paris, 1976), translated as *Bread and Circuses: Historical Sociology and Political Pluralism* (London, 1990), ch. 2.

86. H. Engelmann and R. Merkelbach, *Die Inschriften von Erythrai und Klazomenai I* (Bonn, 1972), no. 21.

87. For a relevant example, see S. G. Miller, *The Prytaneion: Its Function and Architectural Form* (Berkeley, 1978).

88. F. Sokolowski, *Lois sacrées de l'Asie Mineure* (Paris, 1955); *Lois sacrées des cités grecques: supplément* (Paris, 1962); *Lois sacrées des cités grecques* (Paris, 1969).

89. M. P. Nilsson, *Geschichte der griechischen Religion II: die hellenistische und römische Zeit*² (Munich, 1961).

90. For a serious, if still too brief, attempt to represent the communal religious institutions of the ancient world in their local contexts, see R. MacMullen, *Paganism in the Roman Empire* (New Haven, 1981).

91. For a valuable analysis of the vocabulary of sacrifice as directed towards the Roman emperors, see S. R. F. Price, "Between Man and God: Sacrifice in the Roman Imperial Cult," *JRS* 70 (1980): 28.

92. For an example of a major series of inscriptions from a late antique city, see C. Roueché, *Aphrodisias in Late Antiquity* (London, 1989).

93. *Monumenta Asiae Minoris Antiqua I*, 170.

94. G. Mihailov, *Inscriptiones Graecae in Bulgaria Repertae* (Sofia, 1956; rev. 1970); II (Sofia, 1958); III.1 (Sofia, 1961); III.2 (Sofia, 1964); IV (Sofia 1966).

95. The main Latin inscriptions of the Republic, except for the laws and *senatus consulta*, are collected by A. Degraffi, *Inscriptiones Latinae Liberae Reipublicae* (Florence, 1957; rev. 1965); II (Florence, 1963); *Inscriptiones Latinae Liberae Reipublicae; Imagines* (Berlin, 1965), with excellent photographs. It is unfortunate that not all the earliest inscriptions, i.e., those of the regal period (e.g., the Lapis Niger; see text to n. 34 above), are included. For texts and linguistic discussions (but no photographs), see the excellent Loeb volume of B. H. Warmington, *Remains of Old Latin IV: Archaic Inscriptions* (Cambridge, Mass., 1940). The time has arrived, with many new discoveries, for a new edition of this work.

96. E.g., I. Bruns, *Fontes Iuris Romani Antiqui*⁷ (1907); S. Riccobono, *Fontes Iuris Romani Anteiustinianae*² (1941). See K. Johannsen, *Die lex agraria des Jahres 111 v. Chr.: Text und Kommentar* (Diss. Munich, 1971). Note now also A. W. Lintott, *Judicial Reform and Land Reform in the Roman Republic* (Cambridge, 1996), and esp. M. Crawford, ed.,

97. M. W. Frederiksen, “The Republican Municipal Laws: Errors and Drafts,” *JRS* 55 (1965): 183.

98. See R. K. Sherck, *Roman Documents from the Greek East: Senatus consulta and epistulae to the Age of Augustus* (Baltimore, 1969).

99. Note two fundamental older works, P. Viereck, *Sermo Graecus* (Diss. Göttingen, 1888); L. Hahn, *Rom und Romanismus im griechisch-römischen Osten* (Leipzig, 1906). See now H. J. Mason, *Greek Terms for Roman Institutions: A Lexicon and Analysis* (Toronto, 1974); M. Kaimio, *The Romans and the Greek Language* (Helsinki, 1979); E. García Domingo, *Latinismos en la Koine* (Burgos, 1979).

100. M. Hassall, M. Crawford, and J. Reynolds, “Rome and the Eastern Provinces at the End of the Second Century B.C.,” *JRS* 64 (1974): 195. For subsequent discussions, see the survey by J. Reynolds, M. Beard, R. Duncan-Jones, and C. Roueché, “Roman Inscriptions, 1975–80,” *JRS* 71 (1981): 123.

101. Collected and edited in A. Degrassi, *Inscriptiones Italiae* XIII.1: *Fasti consulares et triumphales* (Rome, 1947); XIII.3: *Elogia* (Rome, 1937).

102. Note, e.g., K. Tuchelt, *Frühe Denkmäler Roms in Kleinasien: Beiträge zur archäologischen Überlieferung aus der Zeit der Republik und des Augustus I: Roma und Promagistrate* (Tubingen, 1979); R. Mellor, ΘΕΑ ΠΩΜΗ: *The Worship of the Goddess Roma in the Greek World* (Göttingen, 1975).

103. *CIL* XIII, 1668; *ILS* 212.

104. *CIL* XIII, 3162; H. G. Pflaum, *Le Marbre de Thorigny* (Paris, 1948).

105. See R. G. Collingwood and R. P. Wright, *Roman Inscriptions of Britain I: Inscriptions on Stone* (Oxford, 1965).

106. M. W. C. Hassall and R. S. O. Tomlin, *Britannia* 10 (1979), 341–44. Note the publication by the same authors of four of a find of over forty lead tablets from Bath, *Britannia* 12 (1981): 370–76. For full publication, see now R. Tomlin, *Tabellae Sulis: Roman Inscribed Tablets of Tin and Lead from the Sacred Spring at Bath* (Oxford, 1988).

107. R. K. Sherck, *Municipal Decrees of the Roman West* (Buffalo, 1970). The number of texts found by Sherck (65) is strikingly small.

108. For the essential documentation, including the long new text from Irni in Baetica, see J. González, “The Lex Irnitana: A New Copy

of the Flavian Municipality Law,” *JRS* 76 (1986): 147.

109. *CIL* X, 8038; F. F. Abbott and A. C. Johnson, *Municipal Administration in the Roman Empire* (Princeton, 1926), no. 59.

110. *AE* (1962), 183; cf. H. G. Pflaum in *Bonner Jahrbücher* 171 (1971): 349.

111. For this category of letter, see Millar (n. 46), 431–32; 436–37; 438–39; J. Reynolds, “Hadrian, Antoninus and the Cyrenaican Cities,” *JRS* 68 (1978): 111; *Aphrodisias and Rome* (London, 1982), docs. 10, 13, 14.

112. Note also the supplementary collection by B. Thomasson, *Senatores Procuratoresque Romani* (Göteborg, 1975), collecting and analysing careers documented, or more fully documented, since the appearance of the relevant volumes of *PIR*².

113. Note the classic analysis of these careers by the late H. G. Pflaum, *Les carrières procuratoriennes équestres I–III* (Paris, 1960–61), with the review by F. Millar, *JRS* 53 (1963): 194–200.

114. For demonstration of the dangers inherent in such attempts, see the review of a number of prosopographical works by G. P. Burton in *JRS* 70 (1980): 203–9.

115. See the demonstration by P. A. Brunt, “The Administrators of Roman Egypt,” *JRS* 65 (1975): 124.

116. See R. P. Saller, “Promotion and Patronage in Equestrian Careers,” *JRS* 70 (1980): 44, and *Personal Patronage in the Early Empire* (Cambridge, 1982).

117. See B. Campbell, “Who were the ‘Viri Militares’?,” *JRS* 65 (1975): 11.

118. See, e.g., A. R. Birley, *The Fasti of Roman Britain* (Oxford, 1981).

119. See B. Dobson, “The Significance of the Centurion and ‘Primipilaris’ in the Roman Army and Administration,” *ANRW* II.1 (1975), 392; *Die Primipilares. Entwicklung und Bedeutung, Laufbahnen und Persönlichkeiten eines römischen Offiziersranges* (Cologne, 1978).

120. See, e.g., R. P. Duncan-Jones, “Age-Rounding, Illiteracy and Social Differentiation in the Roman Empire,” *Chiron* 7 (1977): 333.

121. Compare the fundamental essay by R. MacMullen, “The Epigraphic Habit in the Roman Empire,” *AJPh* 103 (1982): 233.

PART II
The Roman Republic

CHAPTER THREE

Political Power in Mid-Republican Rome: Curia or Comitium?



The earlier history of Rome presents us with a very familiar, inescapable, and apparently insoluble paradox. On the one hand, the historiography of Rome begins only in the late third century, with Fabius Pictor's *History* in Greek and (not to be neglected) Naevius' *Bellum Punicum* in Latin. As for the First Punic War itself, Naevius had been born early enough to serve in it. But the narration of it could, on the other hand, be set in the framework of the Foundation and of the earliest history of the city, rooted in the legendary emigration from Troy (fr. 25 [3] Strzelecki):

After Anchises caught sight of the bird in Apollo's temple, the sacred objects were put in order on the table where the Penates are laid; he prepared to sacrifice the beautiful golden victim.

To Fabius, as the remarkable inscription of the second century B.C. from Taormina makes clear (*SEG* XXVI, no. 1123, fr. ii, col. A), the mythical history of Rome went even further back, to Herakles: "Quintus Fabius, called Pictorinus, a Roman, son of Gaius: who related the arrival of Herakles in Italy and the return of Lanoios, an ally of Aeneas and Ascanius; much later there were Romulus and Remus and the foundation of Rome by Romulus, who was the first to be king." That is the paradox: that when people finally came to write the history of Rome, a "history" stretching back centuries was apparently already there to be written. But "stretching back" is perhaps not quite the right expression. Instead, like other "histories," it stretched *forward*, from the earliest mythical origins, then tapered off rather sharply, and expanded again with the period within, or more or less within, human memory. Naevius in fact provides the perfect model: three books on the mythical past, and then in the fourth straight to the narrative of the war (fr. 32 [39]):

the Roman army crossed over to the island of Malta, set fire to the whole island, pillaged, laid waste, disposed of the enemies' property.

But, on the other hand, the history of the earlier Republic, which was not (could not be?) described in full-scale narratives in the late third

century, was to be written later, in the greatest detail and colour. This process was analysed in T. P. Wiseman, *Clio's Cosmetics* (1979), pt. I; and the whole issue is re-surveyed by Raaflaub in the first chapter of his book, where he does, however, suggest that comparison, above all with Greece, may help us to rescue some elements otherwise lost. That still leaves us with the problem of whether we can make anything of the vast narratives of Livy and (in even greater detail) Dionysius, written just at the moment of the monumentalization of the Roman past by Augustus in the form of the *Fasti Triumphales* (the list of generals who celebrated a triumph in Rome) and the *Fasti Consulares* (the list of consuls) and the *elogia* (eulogies) of his new Forum. Put like that, the facts seem to demand from us a clear decision: so far as "real" history goes, we should forget the earlier Republic, and begin where contemporary evidence begins, in the time of Hannibal. The fourth century and the "conflict of the orders" belong in the realm of myth.

Yet so apparently purist a decision will not really do either. Firstly, we could reasonably stretch the definition of "contemporary," in relation to the late third century, to include the previous two to three generations, over which, as most would agree, collective memory will provide some more or less veridical representation of the past. Romans of the late third or early second centuries certainly represented to each other versions of family or collective history over such a time scale. So for instance Cato, born in 235, said (in what context?) that his father (born in the 260s?) had been a brave man and a good soldier, while his great-grandfather (born in the 320s?) had often won *aristeia* (prizes), and had had five horses killed under him, receiving the price of them from public funds as a reward for his courage. He himself might have been new in terms of rank and fame, so he said, but in terms of the deeds and virtues of his forefathers he was very long established (Plutarch, *Cato* 1). Either the father or the great-grandfather, from this family of local gentry of Tusculan origin, with lands in the Sabine country, cavalry-men rather than (as yet) "equestrians," might have stood for office, and then perhaps have been enrolled in the Senate. The notion of that body as an "aristocracy" in the modern sense has confused the study of the Republic for decades.

But there were of course families which were indeed relatively "aristocratic." One was that of the Cornелии Scipiones, and here too we can see how a family history was represented in the early second

century. In the family tomb on the Appian Way an earlier inscription on the sarcophagus of L. Cornelius Scipio Barbatus, consul in 298, censor in (?)280, was erased, and a new one created, addressed to passers-by. See J. van Sickle, "The Elogia of the Cornelii Scipiones and the Origin of Epigram at Rome," *AJPh* 108 (1987): 41; J. van Sickle, "The First Hellenistic Epigrams at Rome," in N. Horsfall, ed., *Vir Bonus Discendi Peritus: Studies in Celebration of Otto Skutsch's Eightieth Birthday*, *BICS* suppl. 51 (1988), 143; F. Coarelli, *Il sepolchro degli Scipioni a Roma* (1988). The new inscription read:

Cornelius Lucius Scipio Barbatus

son of Gnaeus /, a brave and wise man,

whose looks matched his virtue/

he was consul, censor, aedile amongst you,

he captured Taurasia Cisauna? / in Samnium,

reduced the whole of Lucania and took hostages.

Incidents from the Roman conquest of southern Italy of about a century before were thus rehearsed, as was the holding of civil offices, as censor and aedile, in the community—"apud vos." This form of address is of some significance, as will be seen later.

It would thus be needlessly hypercritical not to accept that, at least in broad outline, the major stages of Roman history back to around 300 B.C. were within recall when Roman historiography began. But we can certainly go beyond that. For whether later annalists could, or we now can, reconstruct valid year-by-year narrative sequences, or not, which frankly matters little, it remains beyond question that a range of important developments can be seen to have occurred in the fourth and early third centuries, which formed the background of the great campaigns at the end of that period, above all Pyrrhus' invasion and the outbreak of the First Punic War. That is to say the emergence of Rome from within the framework of the Latin League, the foundation of further "Latin" colonies, the extension of Roman full or half citizenship, and the subjugation or bringing into alliance of all the communities or peoples in the southern two-thirds of the Italian peninsula. However hypercritical we are, this process cannot be argued to have occurred *later* than the early part of the third century; it is also of course presupposed by Polybius' account of the Gallic invasion of the 220s (2, 14–35), and by the entire narrative of the Hannibalic War. But it also cannot belong earlier than the first half of the fourth century, when Rome was the subject of a Gallic raid, of

which Aristotle and Heraclides Ponticus knew (Plutarch, *Cam.* 22). Polybius was later to be absolutely confident that he could locate this event precisely by reference to Greek history (1, 6, 1, Loeb trans.):

In the nineteenth year after the naval battle at Aigospotamoi, and the sixteenth year before the battle of Leuktra, in the year in which the Lakedaimonians ratified the so-called Peace of Antalkidas with the King of the Persians, and the Elder Dionysios, having defeated the Greeks of Italy in the battle on the River Elleporos, was besieging Rhegion, the Gauls took Rome by force and held all of it except the Capitol.

Polybius then summarizes the successive stages by which Rome arose from that low point, overcoming the other Latins and then the Etruscans, Gauls, and Samnites, and victoriously confronting Pyrrhus (1, 6, 3–8). If there are arguments for regarding the hundred-year sequence of events presented by Polybius as being fundamentally erroneous, I do not know what they are. A broad external framework can be established.

As regards narrative history it seems to me impossible to go much further back, no further probably than the capture of Veii. But perhaps, again, we do not need to. For the traces of the archaic Roman community, even that of a still earlier stage, are quite clear enough in the record of its institutions in the historical period, just as they are in large measure in the archaeological record. The structure of the Roman community in the middle Republic still clearly reflected the fact that Rome had once had kings (*reges*), who left behind them a cult building called the Regia, and an Atrium Regium, as well as officials in the form of a *rex sacrorum* and, when needed, an *interrex*. It also preserved the traces, and even the workings, of archaic social divisions, between patricians (*patricii*) and plebeians (*plebeii*), whose origins were (and are) a matter of pure speculation. A fine example of such speculation is to be found in J.-C. Richard's paper, "Patricians and Plebeians: The Origin of a Social Dichotomy" (Raaflaub et al., 105ff.).

In the historical period some Romans (very few) were identified as patricians, a rank which was gained solely by birth (descent through the father), and which gave exclusive access to some major priesthoods, a guaranteed share of other collegial priesthoods, and, until 172, a reserved place as one of the two annual consuls. The later tradition both asserted a very clear association of patricians with Romulus' original enrolment of a Senate of *patres*, and with the

holding of individual positions concerned with the community's relation to the divine order, and narrated a prolonged evolution whereby plebeians, defined negatively as *non*-patricians, also gained access to some, though not all, of these positions. The strictly religious aspect of the patrician-plebeian distinction—the question of who can be permitted to take the auspices on behalf of the community—is rightly stressed by R. E. Mitchell, “The Definition of *patres* and *plebs*: An End to the Struggle of the Orders” (Raaflaub et al., 130ff.), even if the idea that we should think of *patres* as “priests” should be taken merely as a salutary device to provoke re-thinking. It is certainly important that this distinction of birth was in no way reflected in the structure of the popular assemblies, the centuriate assembly (*comitia centuriata*) and the tribal assembly (*comitia tributa*), as they were in the historical period. Nothing was, or is, certain about the earliest history of these assemblies except that they went back to before the historical period; that the tribes (*tribus*) had reached their ultimate limit of thirty-five in 241, and that the structure of the centuriate assembly reflected a stage in the early history of the Roman army.

What I mean to suggest by these extensive preliminaries is, firstly, that the history of the early-middle Republic (say 390–218 B.C.) is indeed inescapable, for it was then that the institutions of Rome were either created or took on their established form and functions: for example, the dual consulate, the praetorship (and later praetorships), the censorship, and the enrolment by them of the Senate, and so forth. It was also then that there took place that very sudden—and even more important—expansion of Roman domination over Italy, of which the most crucial phase was exactly contemporary with Philip's victory at Chaeronea and then with Alexander's conquests and the wars of the Diadochoi. This period cannot, therefore, help being a central problem in Roman history. But it is a paradoxical and insoluble problem only if we insist, like the Roman annalists, on knowing too much. It is all the more unfortunate that those who deal with it, in spite of ritual expressions of caution, do insist on knowing too much.

What is more, like many of the authors whose work appears in the two exceptionally interesting, learned and stimulating volumes under review, we tend to insist not only on knowing too much, but on knowing precisely those things which the ancient sources themselves, in their better moments, warn us that we cannot know. That is to say the attribution to datable individuals of particular actions and achievements, and the grouping of individuals into supposedly reliable

family trees. Cicero, as is well known, said it all (*Brutus* 62, Loeb trans.):

Yet by these laudatory speeches our history has become quite distorted; for much is set down in them which never occurred, false triumphs, too large a number of consulships, false relationships and transitions of patricians to plebeian status, in that men of humbler birth professed that their blood blended with a noble family of the same name, though in fact quite alien to them; as if I, for example, should say that I was descended from Manius Tullius the patrician, who was consul with Servius Sulpicius ten years after the expulsion of the kings.

The same warning, though without the crucial mention of bogus family trees, is repeated later by Livy (8, 40, 4–5, Loeb trans.):

The records have been vitiated, I think, by funeral eulogies and by lying inscriptions under portraits, every family endeavouring mendaciously to appropriate victories and magistracies to itself—a practice which has certainly wrought confusion in the achievements of individuals and in the public memorials of events.

Livy is speaking here of the year which we call 322 B.C., and of only a marginal variation in his sources. Much more fundamental problems would attend any modern attempt at narrative history of the fifth century, of which in my view no serious account can be written.

But even in the relatively historical, or semi-historical period, from the earlier fourth century to the mid-third, with which we are concerned here, any attempt to write a narrative history focusing on internal political issues seems to me open to serious question for the following reasons. Firstly, as mentioned already, far greater importance attaches to the overall, and historically indubitable, transformation in the structure of Italy in the same period. Secondly, there are insuperable uncertainties as to the precise date or meaning of many internal changes which, viewed broadly, undoubtedly took place. Thirdly, in talking of the “conflict of the orders” (Raaflaub et al.) or the “evolution of the *nobilitas*” (Hölkeskamp), terms are being used which are at best not clearly defined and at worst profoundly misleading; H. in particular is looking at the period retrospectively, interpreting it in terms of the coming into being of something which is itself open to radical re-thinking. Finally, both he and the authors of the articles collected by Raaflaub et al. make too little use of the archaeological and antiquarian evidence for early Rome analysed and made available above all by Filippo Coarelli and Mario Torelli, which

allows us to see the evolution of the political structure of the archaic Roman state in a wholly different light. One lesson which might be drawn from this evidence is that we have tended to look in the wrong direction, at what might be supposed to have gone on in what it would be salutary to see as a relatively marginal and anomalous institution, the Curia; but where we should be looking is to the centre of power in Rome, the Rostra, the Comitium, and the Forum as a whole. The year 338, one might well say, was the crucial moment in the history of the Republic, and not only because of the break-up of the Latin League. Victory was symbolized, as everyone knows, by the bringing to Rome of the prows (*rostra*) of captured ships from Antium. But they were used to decorate not the Curia, where we imagine power to have lain, but the speakers' platform on the opposite side of the Comitium. It was from the Rostra that speakers would address the sovereign people, who gathered to vote originally in the Comitium, and then, after 145 B.C., in the wider Forum.

We will return later to the importance of the symbolic, political, and functional landscape which evolved around the Comitium, and in the Forum area as a whole. Its significance lies above all in the fact that the citizens who gathered there did so in order to exercise their sovereign powers of voting: on legislation, in non-capital jurisdiction, and in (some) elections. That is one aspect of what "the conflict of the orders," as represented in later narratives, meant: that is the assertion of sovereign collective voting rights. Then there is something different, and much more difficult to assess historically, because wholly dependent on whether the available narratives of events have any claim to accuracy: that is, the actual content of legislation, or proposed legislation, on broad social and economic issues, such as debt, *nexum*, or the use of public land (*ager publicus*). Thirdly, there is the aspect which is the central topic of Hölkeskamp's book, and the concern of several of the essays in Raaflaub et al., namely the right of plebeians (not definable in social or economic terms, but solely negatively, as *non*-patricians) to hold elected office (as consul, praetor, or censor) or have a share in (at least many) priesthoods.

These three issues cannot of course have been wholly unrelated. But they are none the less not the same. To call a book *Social Struggles in Archaic Rome: New Perspectives on the Conflict of the Orders* is to suggest in advance that the question of access to office was itself in some way a "social struggle" affecting broad social classes definable in terms of wealth or occupation. Similarly, Hölkeskamp can call his very

learned, and very valuable, analysis of the political-military history of Rome from 366 to 287 B.C., *Die Entstehung der Nobilität* only because, as the title itself implies, he sees the period as that of the birth of a particular political order which is known and is beyond serious question: that is to say the domination of Rome by a homogeneous "patrician-plebeian" *nobilitas*, or aristocracy.

From time to time in what follows the discussion will inevitably return to certain presuppositions which run through Hölkeskamp's book, and will do so from a totally divergent point of view. It is therefore only right to stress here that the work is a considerable achievement and is indeed the most detailed and serious treatment we have of the political history of Rome in the fourth and earlier third centuries. Its intention is not, however, to present a mere narrative, but to get away from the obsession with alleged "Adelsparteien," a conception, as Hölkeskamp rightly says (p. 13), simply assumed by Münzer and not "problematisiert" by him. In its place there will be a step-by-step analysis of the actual political, constitutional, military, and social issues which formed the subject matter of politics. In this sense the book represents a real advance, in seeing Roman politics in the context of Rome's wars, and of the progressive domination of Italy. But its central focus remains the steps which gave access to public roles to a new plebeian "élite" which however was rapidly absorbed by the existing patrician élite to form the homogeneous "patrician-plebeian élite" mentioned earlier.

As a study and discussion of all that we know, or hope that we know, of the political history of Rome in this period, the book will henceforward be indispensable. My divergence from it springs, however, from the view that, while its "problematization" of Münzer's views is entirely justified, it has not rid itself of the quite unsupported assertions about Roman political and social structure set out in Gelzer's *Die römische Nobilität* of 1912, and which have been so dominant ever since (note the English translation, *The Roman Nobility*, by Robin Seager, 1969). But the history of the Republic is already seeing a radical revision of these preconceptions also, a point to be discussed further. The alternative view argued here is that we could with profit abandon Gelzer's view of a homogeneous élite (or "aristocracy" or "nobility"?) controlling the mass of the people through a network of patronage relationships, and start all over again by looking at the Roman community and political system from the bottom up, that is starting from the broad mass of the people, settled

in Rome and round about it, and progressively also further away. For to focus on the political process in Rome itself, as it was in this period, is to give relatively marginal attention to far more important developments: the progressive domination of Italy, the spread of Latin colonies and Roman settlement, and the expansion of the Roman tribes between 390 and 241.

This expansion, in two senses, both in numbers (from twenty-one to thirty-five) and in geographical location, is extremely important. Firstly, because we know that it happened; for the end effects of this process are visible in the political map of Italy in the historical period (L. R. Taylor, *Voting Districts of the Roman Republic* [1960]). Moreover, T. J. Cornell is surely right in his claim ("The Value of the Literary Tradition concerning Archaic Rome," Raaflaub et al., 52ff.) that this is one "structural element" which has survived through the legendary accretions of later tradition. It is also worth stressing that this is one area where there are no fundamental contradictions, and no rival story. We have no serious alternatives to the story that in 495 Roman tribal territory was occupied by four urban tribes and by seventeen rural ones, territorial groupings, spread in a radius round the city. The territory covered suggests a population of perhaps some 35,000 (Cornell, 69, following Ampolo). Then no source even claims any expansion for roughly a century; but, after that, expansion began again in 387 with the incorporation of the territory of Veii and the creation of the *tribus* Stellatina, Tromentina, Sabatina, and Arnensis (Livy 6, 5, 8; Taylor, *Voting Districts*, 48). After that the broad lines of the successive creation of new tribes, in pairs, down to 241, are not the subject of any major conflicts in our sources. Along with the parallel process of the "export" of Roman citizens into Latin colonies, they represent *the* major known element in the social and constitutional history of Rome in this period. If we want to concentrate on what can actually be known of Roman history in the fourth and earlier third centuries, and also on what was to be important in subsequent history, we would be better employed studying the first volume of Toynbee's *Hannibal's Legacy* than the topics which form the main focus of these two books.

There is, however, also another reason for beginning at the bottom, with the mass of the citizenry, and that is the importance of popular sovereignty, and of the complex structures within which the citizen could vote. C. Nicolet's fundamental work *Le métier de citoyen* (1976), translated as *The World of the Citizen in Republican Rome* (1980), seems

to have had surprisingly little influence on the way that the authors represented here approach republican politics. The long-established notion of a system wholly manipulable from above, and marked by the domination of the richest groups, is of course coloured in large part by the representations in later sources of the “Servian” centuriate assembly, with its eighteen centuries of *equites* voting first, followed by the eighty centuries of the (*prima*) *classis* (“first census class,” Livy 1, 43; Dionysius 4, 16–21). But, while the principle of voting priority according to wealth always remained, it is easy to minimize the significance of the *relative* transformation of this system which had taken place by the outbreak of the Second Punic War. By then, as is well known, voting began with the now seventy centuries (two from each of the thirty-five tribes) which constituted the first class (Livy 24, 7, 12, on 215 B.C.; cf. 26, 22, 2–13, 27, 6, 3). Two quite new principles were involved: the removal of the voting priority of the *equites*, and the division of the centuries of the first class among the tribes, a century of *iuniores* and one of *seniores* from each. Strictly speaking, such a new principle might have been instituted at any time. But it is probably right that, as Livy implies (1, 43, 12), it belongs after 241—“after the full number of 35 tribes had been reached.” It was surely this that Dionysius meant in saying that there had been a subsequent remodelling by which the centuriate assembly was made

more democratic— μεταβέβληκεν εἰς τὸ δημοτικώτερον
(4, 21, 3). See, for example, L. J. Grieve, “The Reform of the Centuriate Assembly,” *Historia* 34 (1985): 278, rightly seeing this as a significant change. I would only ask why it should be assumed (Grieve, “Reform of the Centuriate,” 309) that the relevant law will have been put through by a consul or censor. Why not a tribunician law? At all events its full importance will only appear when it is put in the context of a much wider range of constitutional legislation in this period; within that context, it is of course significant that this partial measure of democratization came very late.

That the centuriate assembly was still biased in favour of the upper classes is, and was, patent, and it was indeed precisely for that reason that Cato and Cicero approved of it (Cicero, *De rep.* 2, 22/39–40). But the tribal assembly was not so structured, and no source claims that it ever had been. That this fact is not more clearly stressed in analyses of the Roman political system is due in part to the excessive emphasis on elections, above all elections to the consulship, and a consequential failure to give sufficient importance to legislation.

The question of the conditions under which acts of collective voting constituted legislation in the early Republic of course represents a minefield of confusion. But it would be carrying scepticism too far to reject the unanimous view of our sources that the Lex Hortensia of 287 B.C., passed by a *dictator* after the last secession of the *plebs*, represented a major landmark, and did so because it laid down that votes of the *plebs* were binding on the whole people—"ut plebiscita universum populum tenerent" (Gaius, *Inst.* 1, 3); or "ut eo iure quod *plebs* statuisset omnes Quirites tenerentur" (Aulus Gellius 15, 27, 4; full sources in Marina R. Torelli, *Rerum Romanarum Fontes* [1978], 69–71). The key point, if we may believe Gellius, is that an assembly called by a tribune was only a *concilium*, not a meeting of the *universus populus* (the whole people), because it had excluded patricians. How we reconcile that with repeated reports of tribunes of the previous period passing what looks remarkably like "legislation" in common-language terms (for instance, the Lex Ogulnia of 300 B.C. adding plebeians to the previously patrician colleges of priests) is notoriously unclear. But suppose that what was at stake in 287 was the right of the *concilium plebis* (plebeian assembly) to give instructions to any citizen, including a patrician magistrate exercising military or political functions? If so, that might indeed explain why, very soon after, it was to the tribune of the *plebs*, Aelius, that the people of Thurii publicly erected a statue in Rome; Pliny the Elder (*NH* 34, 32), in reporting this, seems to imply, but does not explicitly state, that this was the first statue in Rome to be voted by a foreign community. They did so because Aelius had had a law passed against the Lucanian Sthenius Stallius, who had twice attacked Thurii. This public honour, accompanied by a gold crown, will surely not have related to some mere expression of hostility. The vote passed by Aelius clearly commanded action against the Lucanians, which duly followed, perhaps already in 285 or 284 (Livy *Per.* 11 *ad fin.*: "it contains the exploits against the Vulsinienses and the Lucanians, against whom it had seemed right to give help to the people of Thurii"), but definitively in 282 under C. Fabricius, to whom the Thurini also voted a statue (Pliny, *NH* 34, 32).

Unless we find some reason to reject the story altogether, we have to accept that the people of Thurii knew who could have a binding law passed in Rome, in spheres including those of foreign relations. Pliny's report is thus precious testimony to the sovereign powers of the people, shown again, in a different way, in 264, when the consuls, against the will of the Senate, successfully persuaded the people, with

momentous consequences, to send aid to the Mamertini in Messene (so Polybius 1, 11, 1–3).

These facts represent one reason why the entire picture of the evolution of the Roman state as presupposed by Hölkeskamp, following a long tradition, can be called in question. It should not, for instance, simply be asserted that the Senate was the central “governing body” of the *res publica* (10). More problematic still is the definition of the “aristocracy” in terms of its alleged monopoly of office, quoted, with approval, from Christian Meier: “Whoever played a part in politics belonged to the aristocracy, and whoever belonged to the aristocracy played a part in politics” (Hölkeskamp, 248). But this definition is circular; if we wished to say that an aristocracy controlled office and the exercise of active political functions, we would have to be able to define that aristocracy in terms which were *independent* of their occupation of office. Furthermore, the whole picture depends in part on the identification of the occupation of the consulship with “Politik.” Of course, the same families reappear frequently in the consulship, though Hölkeskamp’s own analysis shows new families arriving and then dropping out again. Was Q. Publilius Philo (*consul* 339, 327, 320, 315, *dictator* 339, *censor* 332, and so forth) an “aristocrat”? We could say that only if we had independent evidence of the family’s established role and standing in the earlier period. But we have not: at the very best a dubious tradition records a Q. Publilius as tribune of the plebs in 384. Moreover, Publilius created no line of successors from his own family, no “plebeian aristocrats” playing any role in the third century: one T. Publilius, perhaps a son, is recorded as becoming *augur* in 300.

But the fact that some families played a predominant role in the consulship is of course beyond dispute. In part at least that was a function of the fact that one consulship, between 342 and 172, always went to a patrician, and patrician *familiae* were relatively few. It seems odd to me that neither of these books provides a list of patrician *familiae*, of which only twenty-one to twenty-three still existed in 366; so P. Ch. Ranouil, *Recherches sur le Patriciat 509–366 avant J.-C.* (1975), 236. Nor does either offer any definition of what a *familia* or a *gens* was. But never mind; if one hundred consulates per century were already “reserved” for whatever members of these few patrician *familiae* were in evidence and of the right standing, that alone will have given a somewhat “aristocratic” look to the *Fasti*. What we would then need is a picture of the “heritability” of the consulship among

plebeians, quite a different issue.

But we are begging the question anyway. For the consulship was primarily a military office, though certainly consuls could and did consult the Senate (and introduce embassies to it), and put legislation to the people before going on campaign (a time sequence which Polybius sets out with perfect clarity, 6, 12, 1–4). There were other elective offices, a praetor (after 366), then subsequently two, and from 227, four; a pair of censors every five years; quaestors, military tribunes (of whom more were progressively subject to popular election) and so forth. But every year there were also ten elected tribunes of the plebs, who stayed in Rome all year, sat daily on their *subsellia* (benches) beside the Curia fronting on the Comitium, were available to give *auxilium* (aid), and could also mount the Rostra to address the people and to put forward legislation, in some sense already before 287, and certainly after that. Were they all, or even characteristically, “aristocrats,” or from a definable social élite? Hölkeskamp, 244, speaks of “the plebeian élite which controlled the tribunate.” How do we know that? Between 366 and (say) 219 a simple calculation will show that well over one thousand men will have held the tribunate. Inspection of Broughton, *MRR*, suggests that our sources report (accurately or otherwise) the names of about thirty. What does it mean to say that they were an “élite” except (circularly) that they held the tribunate? Does it mean that they also (some of them) are known to have held other offices? But, to be precise, of the mere thirty or so whose names are known, eight are attested as having held other offices. Is this a sign of the absorption of the tribunate into a wider office-holding élite, leading to the political neutralization of the office? Quite the contrary, for *either* we cannot in any case rely on the traditions about them, *or* (if we can, to any degree) these men are almost all represented as conspicuously plebeian leaders. In 358, for example, there was C. Poetilius, one of the most prominent early plebeian consuls (360, 346, 326), and as *tribunus* the author of a law restricting canvassing to the Forum (Livy 7, 15, 12); in 311, C. Marcius (Rutillius Censorinus), the author of a law on the popular election of military tribunes, consul in 310; in 310, P. Sempronius (Sophus?), consul 304; in 300, Q. Ogulnius, joint author of the major law on plebeian priesthoods, consul in 269; in 298, M’. Curius Dentatus, associated with a step to secure prior authorization by the senate (*patrum auctoritas*) before elections, consul 290, 275; in 270, M. Fulvius (Flaccus), who is recorded as having protested against the execution of Campanian mutineers captured in Rhegium on the

grounds that they were Roman citizens (Valerius Maximus 2, 7, 15), consul in 264. It is surely worth stressing that M. Fulvius (Flaccus) is in fact the earliest consul in the history of Rome who is recorded as such in contemporary documentary evidence. It consists of two fragmentary but evidently identical inscriptions from the bases of statues erected by him in the *area sacra* of S. Omobono in the Forum Boarium after his capture of Volsinii: they originally read “M. Folvio, son of Quint(o?), consul, dedicated (it) after Volsinii had been captured” (M. FOLVIO Q.F. COSOL. D. VOLSINIO CAPTO); see M. Torelli in *Roma Medio Repubblicana* (1973), 103–4, and now F. Coarelli, *Il Foro Boario* (1988), 213–16.

Archaeological evidence is bound to be to a certain extent a matter of luck. But the erection of this early victory monument, inscribed with his own name, in the Forum Boarium by a consul whose only known previous office was as tribune of the plebs cannot be without significance. It perhaps deserved a mention at the beginning of the interesting book by C. Pietilä-Castrén, *Magnificentia Publica: The Victory Monuments of the Roman Generals in the Era of the Punic Wars* (1987). We should recall that it was the two consuls of this year who, according to Polybius, persuaded the People, against the will of the Senate, to intervene in Sicily. Only one (Appius Claudius) gained that province, and it seems certain that he won no triumph for his pains. But the connection of populism with imperialism is clear enough. There is also another coincidence, of time and place: for it was in this consulship, in the Forum Boarium, that the first-ever gladiatorial show on the occasion of a funeral was put on for the entertainment of the People (Livy, *Epit.* 16; Valerius Maximus 2, 4, 7; G. Ville, *La gladiature en Occident* [1981], 42).

Finally there is C. Flaminius, tribune of the plebs in 232, praetor in 227—the first to have Sicily as his province—consul in 223 and 217, censor in 220. In this case it is superfluous to argue the case for his role as a champion of the *plebs*, since the tradition is unanimous and emphatic. The Circus Flaminius and the Via Flaminia were to serve as his memorials on the map of Rome and of Italy. But here too it should be stressed that Polybius (2, 21, 7–8) emphasizes both the demagogic character of his law for the distribution of Gallic land, and its military consequences.

The tendency of our evidence is thus perfectly clear. In terms of wealth or social class we have no means whatever of characterizing the tribunes of this period. The vast majority cannot even be named.

Of those about whom we know a little more, and who held other offices (in most cases the consulship), almost all are clearly identified in the tradition as champions of the *plebs* or of popular rights.

The evidential basis for any assertions about “who” tribunes typically were in this period, and from what families or social strata they came is thus almost non-existent. But no one will deny that there was a certain integration on a social level, that holding a tribunate came to be something perfectly compatible with holding other offices (which themselves, of course, steadily expanded in number); tribunes also gained the right to summon the Senate themselves, and the expectation that they would be enrolled in it by the censors. We can, of course, insist on seeing this as a take-over of the tribunate by the “patrician-plebeian élite,” or by the Senate: we may then see a “a change of function of the tribunate from a plebeian, ‘party’ instrument of struggle to magistracy under the control of the senate and in its service” (Hölkeskamp, 196–97).

But suppose that we were to try the stratagem of looking not from the Curia to the Comitium but from the Comitium to the Curia? A whole range of evidence would then suggest a quite different interpretation, and, firstly, give considerable support to the notion argued by J. von Ungern-Sternberg, “The End of the Conflict of the Orders” (Raaflaub et al., 353ff.), that a real political tension survived at least to the Second Punic War, or even after. Polybius notoriously saw Flaminius’ proposal in 232 about the *Ager Gallicus* as the *beginning* of demagoguery (2, 21, 7–8). Why should we not see the first half of the second century, not as the period of untroubled control of the “People” by the “élite,” but as that in which popular rights had become quite well established, and popular demands, for victories, booty, and land, were quite easily met? Such is the thesis argued in “The Political Character of the Classical Roman Republic, 200–151 B.C.” *JRS* 74 (1984): 1 (chapter 4 in this volume). In this period, for instance, it was obligatory on every magistrate, within five days of entering office, to take an oath to obey the laws. If he did not, he could continue in office no longer (Livy 31, 50, 6–7). No evidence relating to an earlier period attests this rule. But we must surely see such an oath, unquestionably taken in public, in the Forum, as a means by which the People attempted to impose appropriate behaviour on those whom they elected.

If we were to take Flaminius’ law as an aspect of the “conflict of the orders,” we would be focusing on the second of the possible senses

of the phrase mentioned earlier: the actual content of legislation, in this case a law for the distribution of conquered land to citizens. But a second effect of seeing the whole political structure from the Comitium would be to focus on an aspect of the first sense, the assertion of sovereignty by the people: that is, the use of legislation (*plebiscita*, i.e., laws passed by the plebeian assembly—the *concilium plebis*—or *leges*, laws passed by the other assemblies), whether to ensure the protection of the rights of citizens or to restrict within limits the actions which could be taken by office-holders, or the terms under which office could be held. There remain problems about how (or even if) such items of legislation were effective at all before 287; and, of course, intrinsic problems about dating, and the apparent reduplication of laws, for example, on *provocatio* (appeal). But even the most selective of tabulations will show how our sources *represent* a long series of items of legislation as having been passed, mainly by tribunes, in the fourth and third centuries. Table 1 illustrates certain general tendencies, and omits some particularly controversial cases. The conception which all of these acts of legislation, even the last-mentioned, embody, is that the constitutional structure of the state, the conditions of office-holding, and the duties of office are for determination by the People via the medium of *leges*. This latter aspect is also particularly clear in the case of the tribunician Lex Papiria, of uncertain date between 242 and 124 (Festus 468L, based on J. D. Cloud's trans.):

Concerning this matter it was ordained by a law of the tribune of the plebs, Lucius Papirius, in these words: “whoever hereafter shall have been made the praetor, who shall have jurisdiction between citizens, let him propose to the people [the election of] three men in charge of capital cases [*tresviri capitales*]), and those three men in charge of capital cases, whoever shall have been let them enforce the taking of an oath, adjudicate cases” etc.

The law lays a duty both on future praetors and on the *tresviri capitales* whose election they are to conduct. So equally does the Lex Silia, a tribunician law of (probably) the second half of the third century, making it an offence for any magistrate to alter the established weights and measures (Festus 288L): “If any magistrate contrary to these rules with wrongful deceit shall have made the official weights, dry measures and vessels too small or too large, or shall have ordered (these things) to be done” (trans. J. D. Cloud).

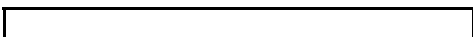


Table 1. Political Power in Mid-Republican Rome	
362	Law for the election of 6 military tribunes, rather than selection. Livy 7, 5, 9.
357	Tribunician law “ne quis populum postea sevocaret,” i.e., forbidding the summoning of an assembly beyond the first milestone. Livy 7, 16, 8.
?318/12	Tribunician Lex Ovinia entrusting the enrolment of senators to the censors rather than to the consuls. Festus 290L.
311	Tribunician Lex Atilia Marcia on election, rather than selection, of 16 military tribunes. Livy 9, 30, 3.
300	Tribunician Lex Ogulnia adding plebeian pontifices and augurs. Livy 10, 6, 1–9, 2.
287	Lex Hortensia.
242 or later	Tribunician Lex Plaetoria on jurisdiction of the urban praetor.
?292/219	Lex Maenia on auctoritas patrum.
218?	Tribunician Lex Claudia, limiting shipping activity by senators and their sons. Livy 21, 63, 3.
217	Plebiscitum releasing ex-consuls from an existing ban on repetition of office. Livy 27, 6, 7.

Such a provision can be understood only in relation to a formally constituted public space, under magisterial supervision, for the sale of products by citizens. Equally, a clear conception of place (and time) is essential for us if we are to envisage what is meant by the tribunician Lex Plaetoria, of not earlier than 242 (Censorinus, *De die natali* 24, 3, trans. J. A. Crook):

M. Plaetorius the tribune passed a *plebiscitum*, in which it was written “Whoever is now urban praetor and whoever hereafter is to have two lictors with him and he is to have jurisdiction between citizens the last hour right down to sunset.”

We would begin to gain a sense of the middle republican Roman community if we were to relate to this Varro’s comment (*LL* 6, 5, Loeb trans.): “The Lex Plaetoria declares that this time also should be ‘last’

at which the praetor [better 'the herald,' *praeco*?] in the Comitium has announced to the people the 'end of the session.'" The scene is therefore the Comitium, and the obligation laid down in the law is for the praetor to be available to give justice to the People all day until dusk falls.

How was that moment to be determined? It might well be an offence to the popular sense of justice if a praetor could leave of his own volition, before an aggrieved litigant were heard. The evidence preserved by antiquarian sources, whose resurrection and deployment is one of the great services of the modern school of Italian archaeology, gives a wonderful sense of location and of the role of public action, in the open, in front of the crowd, in the archaic community. I rely here, as will be evident, on F. Coarelli, *Il Foro romano* II (1985), in my view the essential work for understanding the political structure of the Republic as a social system—a system of interaction between people, in the most concrete sense.

How the end of the day was determined in the earliest Republic is as obscure as everything else about that period. But in 338 and the following years the monumentalization of the Comitium and Forum began, not merely with the Rostra, but with the Maeniana, or spectators' galleries, above the *tabernae* (shops), and the erection of the *Columna Maenia* to the west of the Comitium. All three were recorded as having been the work of the consul of 338, C. Maenius, either after his capture of Antium in that year, or as censor in 318. There was now an agreed and simple means of determining both the midday and nightfall: an *accensus* (a herald, *praeco*, presumably) of the consuls proclaiming (*pronuntiante*) midday when, looking out from the Curia, he saw the Sun between the Rostra and the Graecostasis; sunset was when he saw the Sun between the *Columna Maenia* and the Carcer (the alignments are marked in the plan in Coarelli, *Il Foro romano* II, 23). In the rapidly developing Rome of the first half of the third century that procedure must have begun to seem somewhat primitive and arbitrary. So, according to Varro, in the consulship of M. Valerius (Maximus) Messala, 263 B.C., a *horologium* taken in the capture of Catane was installed on a column near the Rostra. In fact it was inaccurate, but was used for nearly a century until the censors of 164 erected a better one. But neither solved the problem of cloudy days, finally overcome when the next censors (of 159) put up a water clock. The whole story is told by Pliny the Elder (*NH* 7, 212–15), and is a perfect mirror of the evolution of Rome in this period.

It is not necessary to rehearse here more of the literary and archaeological evidence deployed by Coarelli to bring to life the architectural, artistic and functional evolution of the Comitium. But his demonstration (*Il Foro romano* II, 22–23) that the *tribunal praetoris* (the praetor's tribunal) was duly situated on the eastern perimeter of the Comitium, near the *Puteal*, until moved west into the wider spaces of the Forum proper, is essential. For the proper satisfaction of individual claims it had to be known exactly both when and where justice could be seen to be done. It was of course also in the Comitium that the thirty-five tribes could be found voting in order (both functions are reflected in the speech of 161 B.C. quoted by Macrobius 3, 16, 14–18), until they too (probably in 145 B.C.) moved out (for legislation and trials) into the “seven *iugera*” of the wider Forum, and for elections down to the Campus Martius like the centuriate assembly.

Nearer to the Curia Hostilia, on the left as you entered, the tribunes of the plebs had their *subsellia* (benches). From there they could offer *auxilium* to the *plebs* in the event of oppressive magisterial action, and also watch the door of the Curia and what went on inside; from there, as Zonaras (7, 15) says, following Cassius Dio, they were in the course of time drawn in to the Curia itself (Loeb trans.):

Now at first they did not enter the Senate-house, but sat at the entrance and watched proceedings, and in case anything failed to please them, they would there and then oppose it. Next they were invited inside. Later, however, the ex-tribunes became members of the Senate, and finally some of the senators sought to be tribunes.

We could accept, as Hölkeskamp does, the common view of this as their absorption and neutralization by the governing élite. But, as argued earlier, a quite different view of the entry of the tribunes into the Curia remains possible; on this view what mattered was the constitutional power of the people, accompanied in the period from the later fourth century to the middle of the third by a vast process of settlement on the land, resumed in the 190s and apparently coming to a halt in the middle of the second century. There was, of course, for a relatively brief period in the first half of the second century, a degree of neutralization of the role of the tribunes of the plebs as the champions of popular rights. But for that the explanation given by Dio/Zonaras is at least as good as any other: the disunity and mutual jealousy of a board of ten with equal powers.

The Comitium, even after it ceased to be the only place where one

could *agere cum populo* (transact business with the people) retained those major historical monuments which marked it as the focus of communal life: the Rostra, adorned with various ancient statues, the Volcanal, with the Lapis Niger, the ficus Ruminalis, and beside it the statue of the She-wolf and the Twins erected by the Ogulnii in 296. In the same period, that of the Samnite wars, there were erected on the instructions of Pythian Apollo the statues of Pythagoras and Alcibiades, respectively the wisest and bravest (?) of the Greeks; the statues lasted until Sulla's enlargement of the Curia (Pliny, *NH* 34, 26). It was almost certainly also in the same period that there was erected the statue of Marsyas. The arguments for its origin at this point are no more than circumstantial, as are those for the belief that it already symbolized liberty: the representation of the statue on *denarii* of L. (Marcius) Censor(inus) of 82 B.C.; a statue of Marsyas from the Forum of the Latin colony of Paestum, 273, held to be an imitation of the one already erected in Rome; a possible association, as with later provincial statues of Marsyas, or Liber Pater, with *libertas*; and a possible candidate as the dedicator in an ancestor of Censorinus, namely C. Marcius Rutilus, tribune of the plebs 311, consul 310, one of the first plebeian augurs under the Lex Ogulnia, and censor in 294 and 265. See M. Torelli, *Typology and Structure of Roman Historical Reliefs* (1982), 98–99; Coarelli, *Foro* II, 91–92; T. P. Wiseman, "Satyrs in Rome," *JRS* 78 (1988): 1, on p. 4. It should, however, be noted that M. H. Crawford, *RRC* I (1974), 377–78, rejects any connection with *popularis* ideology.

Contrast with all (much more than sketched here) that we know of the Comitium and the surrounding area how little any source has to say of the Curia itself. We know, of course, that it was there, on the north side of the Comitium, and it is not unlikely that a comparable relationship of Comitium and Curia was created when Latin colonies were founded; see C. Krause, "Zum baulichen Gestalt des republikanischen Comitiums," *Röm. Mitt.* 83 (1976): 31, esp. 53–54; F. Coarelli, *Il Foro romano* I (1983), 141–42. But it seems to me to be only at Cosa (273) that this parallel is at all clear. It is, moreover, notorious how little any of our sources have to say about the size, shape, internal disposition, internal or external adornment, or symbolic character of the Curia Hostilia. We ought also to pose a question which is more puzzling than it appears at first sight. Why did the Senate meet in a *building*, and under a roof, at all? For every other public function of the Roman community took place in the open air (there is no Republican evidence for the use of the basilicas for jury

courts).

The fact that the site of a legitimate meeting of the Senate had to be an inaugurated *templum* did not of itself imply that it had to be a “temple” with walls and a roof, though of course the majority of the regular alternative meeting places of the Senate were (the temples of Capitoline Juppiter, Castor and Pollux, Concordia, Bellona, and so forth; see M. Bonnefond, “Espace, temps et idéologie: le Sénat dans la cité romaine républicaine,” *Dial. di Arch.*, 3rd ser., I [1983]: 37). For the Rostra was also an inaugurated *templum*. But, given that the Curia was exclusively a meeting place for the Senate, the lack of any clear image or symbolic associations remains baffling. Almost all that we hear of it concerns its external features: the two statues of Alcibiades and Pythagoras outside it, removed when Sulla enlarged the building; the statue of Attus Navius which stood somewhere before it, and was burned in 52 (Pliny, *NH* 34, 20; Coarelli, *Il Foro romano* II, 29–30); and the *tabula Valeria*, a picture representing his victory over the Carthaginians and Hiero in 263, which was placed on the side wall by M'. Valerius Maximus Messala (Pliny, *NH* 35, 22); it was put on the left side as you faced the Curia, just above the *subsellia* (benches) of the tribunes of the plebs (Coarelli, 53–54). Once again, as with Fulvius Flaccus' dedications of the previous year, in the Forum Boarium, victories now needed to be exhibited in permanent form before the eyes of the people.

The indistinctiveness of the Curia as a building may not be entirely accidental, for it oddly mirrors the indistinctiveness of the Senate itself in the early period. Our sources for the mythical history of early Rome, of course, narrate the summoning of a Senate of *patres* by Romulus, relate this term to patricians, and speak of *maiores* and *minores gentes*. But as to the composition, role, and function of the Senate in the early Republic, they provide no very clear picture. Insofar as we are told by our sources the story of a “conflict of the orders” relating to personal status, it concerns either elective annual offices or the membership of the priestly colleges. It is in no way about the right to be a senator. All that we can (at best) claim to know is that before the tribunician Lex Ovinia, of indeterminate date before 312, the Senate seems to have been enrolled by the consuls; but that enrolment now became a duty laid on the censors and conducted by a public reading of the list. As such, this step forms a clear partial parallel to the progressive removal of the power of appointment of some military tribunes by the consuls, in favour of popular election.

As is self-evident, no history can be written except with the benefit of hindsight. This is doubly so in the case of the middle Republic, where almost all our evidence is itself retrospective. What this discussion—more a reflection on the period than any attempt at a review of these two interesting, suggestive, and important books—is intended to suggest is that our retrospection has been governed by a false presupposition: that what the political history of the middle Republic led to was the formation of a “patrician-plebeian governing class” which exercised a real control both social and political, a control which ended and neutralized the “conflict of the orders.” But, all else apart, many of the pillars on which such a view rests have been demolished in the recent work of P. A. Brunt, first in “*Nobilitas and Novitas*,” *JRS* 72 (1982): 1, and now in *The Fall of the Roman Republic* (1988), above all in the chapters on *clientela* and on *factiones*. Whoever wants to argue for the genealogical continuity of the governing élite, the importance of lateral groupings within the Senate, or the socio-political function of those vertical links allegedly constituted by *clientela* will at any rate now have to start all over again. As for genealogical continuity, any discussion will also have to deal with K. Hopkins, *Death and Renewal* (1983), chap. 2: “Political Succession in the Late Roman Republic (249–50 B.C.).” Moreover, as soon as we attempt to follow *gentes* and *familiae* back into the archaic period, we have to face the fact that at least some “family-histories” were antiquarian constructions; see T. P. Wiseman, “Legendary Genealogies in Late-Republican Rome,” *Greece and Rome* 21 (1974): 153 = *Roman Studies* (1987), 207. Our notions of which *familiae* were which also depend essentially on the combination of *nomen* and *cognomen* as attributed in later narratives, and in the inscribed Augustan *Fasti*, to individuals reported to have held offices, passed laws, or fought wars. But how many of the *cognomina* appearing in these later sources were really in use at the dates implied? There is no simple answer, and I do not wish to imply that a wholly negative conclusion can be justified. See, for a start, I. Kajanto, “On the Chronology of the Cognomen in the Republican Period,” *L’Onomastique Latine* (1977): 63. For what can be done by “reading” the meanings of *cognomina* in their historical context, see also E. L. Wheeler “*Sapiens* and Strategems: The Neglected Meaning of a Cognomen,” *Historia* 37 (1988): 166. More generally, without a history of names, based on contemporary documents, “histories” of *familiae* and *gentes* are premature.

It may of course be that the “patrician-plebeian nobility” can be

restored to the unchallenged domination which it has enjoyed posthumously for most of this century. But I for one doubt it. For we *could* read the history of the middle Republic as recording the imposition on office-holders of public rules and obligations, coupled with an ever-accelerating need for individuals to advertise themselves to the People and to compete for their favour. The first of these themes is brought out best of all by A. N. Sherwin-White in "The Lex Repetundarum and the Political Ideas of Gaius Gracchus," *JRS* 72 (1982): 18, a seminal contribution to our understanding of republican politics. The second is plainly visible in the record of shows put on in Rome, in the literary record of statues and monuments in Rome, and in the archaeological record. See above all the classic article by T. Hölscher, "Die Anfänge römischer Repräsentationskunst," *Röm. Mitt.* 85 (1978): 315. As Hölscher showed, and Hölkeskamp duly recognizes, the record of representational art, portraying contemporary individuals and their deeds, beginning (if we reject some legendary items from the fifth century or earlier) in the second half of the fourth century, is as good evidence as we have for the emergence of politics as a sphere of individual activity which would be demonstrated in permanent form before the people, sometimes with the sanction of specific votes by them. Ennius was to express this with perfect succinctness: "so many statues will the Roman people vote, so many columns, which will speak of your deeds" (Vahlen, *Varia* II; Skutsch, *Annales*, p. 130, fr. iv).

Seen in this light, the institution of the funeral oration, which in the second century at least was delivered to the people in the Forum from the Rostra, falls into the same pattern: the celebration of distinctive political and military roles before the community. The best evidence is of course the much-quoted funeral oration of 221 B.C., delivered by Q. Caecilius Metellus on the death of his father, L. Caecilius Metellus, consul in 251 and 247. The competitive presuppositions of the speech as summarized by Pliny the Elder (*NH* 7, 139–40), have been stressed recently by T. P. Wiseman in *Roman Political Life, 90 B.C.–A.D. 69* (1985), 3–4: "outstanding . . . the best . . . the bravest . . . the greatest deeds . . . the greatest distinction . . . the greatest wisdom, the foremost senator . . . the most celebrated in the state." It goes along with that final emphasis on popular fame that he should have been recorded as the first to lead elephants in a triumph, to have had a statue recording his services erected on the Capitol (Dionysius 2, 66, 4), and have been voted, by the Roman people, the right to use a *currus* (chariot) to ride in on his way to the Curia (Pliny,

NH 7, 141). As Pliny explicitly states, the people had never conferred such a right on anyone else. A secure domination by a socially and politically unified “patrician-plebeian nobility”? It is perhaps worth stressing that on the later definition of *nobilis* (whatever that was)—which we have absolutely no reason to suppose was in use in the period concerned—L. Caecilius Metellus may not even have been one; it is no more than a possible reconstruction that the consul(?) of 284 may have been his father. At all events no securely attested Caecilius Metellus is known to have held office in Rome before the *triumphator* who was to be renowned for his display of elephants.

As confessed already, what has been said here is not so much a review of these two books as a reaction to them. The proposal made here is threefold. Firstly, that it is hopeless to work “forward” from the legendary beginnings of Rome—what were patricians? How did the *plebs* “originate”? Or even to ask detailed questions about the holders of office in the fifth and earlier fourth centuries. For that, if it were worth attempting at all, we would have to start, as suggested already, from the history of names, not as reconstructed in the Augustan *Fasti*, but as actually used at the time, not just in Rome but in Latium and neighbouring areas. As Cicero already warns us, there were Tullii both in Rome and Arpinum, once a Volscian town. For all we know, the now famous POPLIOS VALESIOS recorded on an archaic inscription from Satricum could just as well have been a Satrican as a Roman, or even a Sabine (see H. Versnel in C. M. Stibbe et al., *Lapis Satricanus* [1980], 128–29); and into what *familia* or *gens* should we fit the “Tiberius Claudius son of Gaius from Antium, made curator of the city” attested at Entella in Sicily in the first half of the third century? (See now M. Corsaro, “La presenza romana a Entella: una nota su Tiberio Claudio di Anzio,” *Ann. Sc. N. Sup. Pisa* 12 [1982]: 993). Moreover, persons with the name “Claudius,” in its Etruscan form (“Klavitie” or “Clavitie”), turn up in the fifth century B.C. at Aléria in Corsica and at the end of the fourth at Caere; see J. Jehasse and L. Jehasse, *La nécropole préromaine d’Aléria* (1973), 551, a reference which I owe to T. J. Cornell, to whom I am grateful for generous (and sceptical) comments on this chapter. As for these “Claudii,” J. Heurgon, ap. Jehasse, 551, speaks engagingly of “la vitalité expansionniste de ces Claudes,” descending from their Sabine homeland. But surely, in seeing all the attested Claudii, in Rome and elsewhere, as members of an original *gens Claudia*, we are indulging in a classic example of mythic history, and really ought to start again.

What we should do is to work *back* from the historical period, first (in my view) revising our conceptions of it itself, and then examining what types of social and political structure are already presupposed by what we find at each stage. In looking at these structures, the sheer size of mid-republican Rome, as both a city and a community, becomes more and more significant. It is much to be regretted that Chester G. Starr's small but very suggestive book, *The Beginnings of Imperial Rome: Rome in the Mid-Republic* (1980), has never been published on this side of the Atlantic, and has never really attracted the attention which it deserves. In working back into the later archaic community, the antiquarian evidence, as deployed by Coarelli and Torelli, is a crucial, but also, inevitably, a controversial, tool. (Perhaps the time has come for a collection and critical study of the scattered reports on early Rome in Pliny's *Natural History*.) But we are not confined to later reports of buildings, works of art, triumphs, shows and other manifestations of communal life. The archaeological evidence collected, not perhaps in the clearest way, in *Roma Medio Repubblicana* (1973) remains to be used to the full, as do the results of Coarelli's work on the Forum and now the Forum Boarium. As was noted briefly, an image of mid-republican Rome can perhaps now be gained also from excavations at the Latin colonies of Alba Fucens (304), Paestum (273) and Cosa (273). The Italian dimension, and not least the connections with Neapolis and Capua, must be essential in comprehending the Rome of the later fourth and earlier third centuries, as it so clearly is in M. Crawford, *Coinage and Money in the Roman Republic* (1985). Here perhaps the perspective imposed by Polybius may need some correction, as we work back from the historical period to the first phase of Rome's existence as a major local power. For to us the outbreak of the First Punic War must indeed, in retrospect, seem the crucial event of 264 B.C., as it did to Polybius. But to Romans at the time perhaps equal significance attached to the capture of Volsinii, and to the victory monument erected in the Forum Boarium, and inscribed with his own name, by the plebeian consul of that year, M. FOLVIO (which is the name which he actually used, whatever later tradition was to claim). Unless of course the people were even more interested in the gladiatorial show, the first ever, which was put on in the same year, and also in the Forum Boarium. Before many years had passed such shows were to move to the Forum proper, long since established as the central arena of communal life, where the Rostra had since 338 served simultaneously as a monument of victory and the platform for addressing the people.

NOTES

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CHAPTER FOUR

The Political Character of the Classical Roman Republic, 200–151B.C.



Polybio nostro

Introduction

In any attempt to understand Roman history the first half of the second century B.C. must have a special place. Victory in the Hannibalic war had laid the foundations of a general dominance of the Mediterranean world, but had hardly yet produced an empire. Outside Italy, only Sicily, Sardinia, and two commands in Spain were normally allotted as provinces for annual magistrates; and this list was not increased by the famous victories in the Greek East, Cynoscephalae, Thermopylae, Magnesia, and Pydna. Roman *imperialism* is too crude a term for what we can observe between 200 and 151 B.C. Roman *dominance* was felt everywhere, from Spain to Carthage, Alexandria, Jerusalem, Antioch, and Ankara; Roman *militarism* was demonstrated consistently in northern Italy and Spain, at various periods in Greece and Macedonia (200–194, 191–187, 171–168), and for one period of three years in Asia Minor (190–188). Roman *colonialism* was still confined, with one very marginal exception, to the Italian peninsula.

Any discussion of what we mean by Roman “imperialism” in this period would have to maintain some such distinctions—and its main focus ought to be Spain, and, more important still, northern Italy.¹ It was in Liguria, in the Celtic lands of the Po Valley, and in Venetia and Histria that the Romans of this period exhibited a consistent and unremitting combination of imperialism, militarism, expansionism, and colonialism. T. Quinctius Flaminius gained his chance to win the great victory of Cynoscephalae only because in March 197, when the new consuls had entered office, the Senate decided to keep both of them in Italy to confront the Celts (Pol. 18, 11–12).

That illustrates the point that if we talk about Roman imperialism we must, at least at one level, try to make clear whose imperialism we are discussing. Who, in the Roman political system, actually decided the declaration of war or the making of peace, the scale of the military

call-out for each year and its allotment to different areas, the answers to be given to Italian and foreign embassies, the despatch of colonies: the consul or proconsul in the field, the Senate, or the Roman people in their assemblies?

Thus to understand Roman imperialism, but not that alone, we must understand the Roman political system itself. That is of course hardly a novel observation, since precisely that was the purpose of Polybius' analysis of the Roman constitution in book 6. By the purest of accidents, Polybius' seventeen years as a hostage in Rome (167–150) began at exactly that point in time where our text of Livy now breaks off. I do not, however, wish to imply that Polybius' evidence complements that of Livy in illuminating this half century. On the contrary, Livy's narrative is at least equalled in significance by Polybius' account, combined with contemporary documents, the vivid images of the Roman political community in Plautus, Ennius, and Caecilius, and the fragmentary remains of the political speeches of the time.

This half century can also be seen by us, as it was later in antiquity, as presenting the classic phase of the working of the Roman constitution. The "struggle of the orders" had ended in 287. The number of tribes had reached its permanent limit of thirty-five in 241; soon after, as it seems, came the obscure reform which related the centuries in the centuriate assembly (*comitia centuriata*) to the tribal system. The temporary strains which had produced recurrent dictatorships and repeated consulships in the Hannibalic war were also over. The phase of major constitutional reforms, tensions, and crises, which began in 149 and continued with the ballot laws of the early 130s (see text to nn. 70–72), had not yet been reached. By any reasonable standards the constitution worked smoothly. There was no interruption in the annual election of office-holders, and not a single Roman is known to have been killed, or even injured, in political violence during the period.

That is not to say that there was no change and no internal debate. There were repeated public issues about war and peace, the internal regulation of the constitution, the moral regulation of society, the inclusion of marginal groups within the citizen body, the despatch of colonies, and the occupation and exploitation of the public land within Italy. Nor is it to say—as often has been said—that the period was marked by the secure domination of the Senate as a body, or the *nobiles* as a group. The main purpose of this paper is to argue that

Polybius was right and his modern critics are wrong. We do have to see the power of the people as one significant element in Roman politics. Polybius, it is claimed, failed to see the social structures which ensured the domination of the *nobiles*;² that must mean the relationships of patronage and dependence which supposedly dominated Roman political decision making and rendered popular participation passive and nominal. But the existence of these structures is itself a modern hypothesis, which has very little support in our evidence. It is time to turn to a different hypothesis, that Polybius did not see them because they were not there.

Or rather, vertical links of obligation can of course be found in Roman society. But for at least three reasons they cannot serve as the key to the political process; so Polybius was right to ignore them. First is the sheer size of the citizen body. Second, all our evidence shows that those who aspired to office engaged in vigorous mutual *competition* for popular favour. Why else should Antiochus Epiphanes have carried back with him from his years as a hostage in Rome that vivid image of Roman political behaviour which he then exhibited to the baffled inhabitants of Antioch? Dressed in the white toga of a candidate he would go around the agora grasping men by the hand and embracing some, and asking for their votes for him as tribune or aedile (Pol. 26, 1, 5).

Electoral support had to be sought at the time and also prepared in advance by building up the right reputation. Scipio Aemilianus, so Polybius records (31, 29, 8), was unlike the other young men of his class. He went hunting; they devoted themselves to speaking in court and greeting people, spending their time in the Forum, “and by these means attempted to recommend themselves to the many.”

The people enjoyed the three basic constitutional rights of direct voting on legislation, including declarations of war and the making of peace treaties; of electing all the annual holders of political and military office; and of judging in popular courts constituted by the centuriate assembly and tribal assembly (*comitia tributa*). This last element is not given its full significance in modern work. Gelzer, for instance, could list as a “struggle between cliques” what were in fact prosecutions before the popular courts (*iudicia populi*).³

In the end I will want to say no more than what Polybius said: that we cannot understand Roman politics if our view does not encompass, along with the power of individuals holding office and the collective power of the Senate as a body, the power of the people as represented,

however imperfectly, in their assemblies. This is not to say that it is worth trying to argue that Rome was a democracy. It is to say that in many respects it was more like, say, the classical Athenian democracy than we have allowed ourselves to think. Certainly the people were subject to influence from above. But it was in a large number of cases a matter of competing, conflicting, or contradictory influences: invariably when they acted as jurors or decided election to office, and very frequently when they voted on laws, the people were exercising the power to decide between claims or proposals made to them from above. This brings us to the third reason why the traditional picture is misleading. The vehicle through which such claims or proposals reached them was oratory. It is the greatest weakness of the presuppositions about social and political structure which have dominated much modern writing—at least in English and German—on the Roman Republic for more than half a century, that they have made us deaf both to the voice of the orator and to the reactions of the crowd gathered in the Comitium (the archaic meeting place), and Forum, on the Capitol or in the Campus Martius.

Polybius witnessed the exercise of Roman political and military power first from a distance, as an increasingly important member of an allied state, the Achaean League, and then, from close up, as a deportee in Rome. It will be convenient to do likewise and come gradually to the real centres of power, the Senate house, the Comitium, and the Forum.

Political Authority and External Relations

To the peoples of the Mediterranean world Roman commanders—consuls or praetors in their year of office, or prorogued for a second year (and very occasionally more)—could seem like kings, disposing of large armies, sending and receiving embassies, corresponding with kings or negotiating with them in person, destroying or sparing cities, selling whole populations into slavery. In the Greek world they could take on quite precise roles fulfilled by kings: Flaminius presided at the Nemean games (Plut., *Flam.* 12), which Philip V had attended a few years before (Pol. 10, 26, 1); Aemilius Paullus placed his own statue on a base intended for one of Perseus at Delphi (Plut., *Aem.* 28, 2), and used the royal library and hunting grounds (*Aem.* 28, 6; Pol. 31, 29, 3–6). If only one Roman *imperator*, Scipio Africanus, had actually been hailed as a king, by the Spaniards (Pol. 10, 38; 40), the comparison was quite conscious, and was formally expressed in the

decorations which the Senate sent as honours to allied kings.⁴

But of course this “monarchic” power was confined in time and space and restricted by the processes of the Roman constitution. Ennius might represent Scipio as claiming the sole right to immortality (*Epig.* 23–24 Vahlen/3–4 Warmington); but individual power and ambition were still effectively restrained. No office could be gained without popular election. The provinces to be allotted each year, and the prorogations of last year’s office-holders, were decided, almost invariably, by the Senate, as soon as the consuls entered office on 15 March. Almost invariably, because even after the prorogations and provinces had been decided and the lot drawn, the arrangements could be changed by a decree of the Senate (*senatus consultum*) followed by a *plebiscitum* (a law passed by the plebeian assembly—the *concilium plebis*) (Livy 35, 20, 9); or the tribunes, by a law proposed directly to the people, could attempt to upset a prorogation which had been decided in advance (41, 6, 2). In normal times the lot decided which consul or which praetor took which province,⁵ and the lot thus gave or removed what might be a man’s only chance for a famous victory. If the chance were not taken in the year of office, it was either lost forever to a man’s successor (see, e.g., Pol. 38, 8, 3, on 147 B.C.), or could only be kept alive by prorogation. Hence, as Polybius records (18, 9–12), the terms offered by Flamininus to Philip V depended on whether he would be prorogued or not. Relatively mild terms could have been proposed, and the war ended in spring 197. But prorogation was decided, and the consuls were both allotted Gaul; therefore Flamininus’ emissaries to the Senate recommended offering harsh terms to Philip, and peace was not made. Only then was the way open for Cynoscephalae.

The spheres of activity of office-holders, the forces available to them, and the finances allotted all depended, therefore, on a debate and vote conducted in the Senate at the beginning of each year. Thereafter, for the rest of the year, time and distance might remove immediate strategic and diplomatic decision making from the collective political process in Rome, and leave it to the discretion of the commander in the field. But yet a consul on campaign, at least in Italy, might think of consulting the Senate (Livy 41, 1, 1), or actually do so (40, 16, 5–6). Communities in the area concerned might report to the Senate that a consul had left his province, and emissaries be sent by the Senate to tell him to return (43, 1, 7–12). When one consul suffered defeat in Histria in 178, the Senate instructed the other to

leave Liguria and cross over to Gallia, raising troops from the communities there (41, 5, 5). The Senate might even circulate allied cities and leagues in the Greek East with a decree of the Senate to the effect that they should not obey requests for forces from Roman commanders in the area, unless these were in accordance with the terms set by the Senate (Pol. 28, 13, 11; 16, 1; Livy 43, 17, 2).

Moreover, all the dealings and agreements of Roman commanders with foreign peoples were conditional and were subject to subsequent ratification in Rome by the Senate and (surprisingly often) by the people. It is not merely that Polybius repeatedly records that treaties made in the field were subject to ratification by the people;⁶ but documentary evidence shows how office-holders abroad spoke as the representatives of Senate and People. Or rather the other way round. For in the only surviving contemporary Latin document which illustrates decision making in the provinces, Aemilius Paullus, as proconsul in Further Spain in 189, lays down that a group of people should be free and retain their land, "so long as the Roman People and Senate wish it."⁷ The sequence is instructive.

Had this group been dissatisfied, however, their only recourse would have been to send an embassy to the Senate, and to the Senate alone. For there is no evidence that foreign embassies were ever brought to speak before the people. In this crucial respect Rome did offer a marked contrast to the Athenian democracy. Hence there arose the image abroad, perfectly reflected in the first book of Maccabees (8), of the 320 counsellors sitting every day and deciding major affairs of state. It is not necessary to give examples of the endless sequence of foreign embassies which came to speak in the Senate. One documentary example of a response by the Senate will do, namely the letter in which Spurius Postumius, praetor in 189, wrote to tell the Amphictyonic League what the Senate had decided in response to its embassy on rights of asylum.⁸ The Senate was also the only body in Rome which sent ambassadors. Thus we find the young Aemilius Lepidus, as ambassador to Philip V in 200, reminding the king of what the Senate had decided (Pol. 16, 34, 3); or Popilius Laenas beginning his famous confrontation with Antiochus IV outside Alexandria in 168 by handing the king the text of a decree of the Senate (Pol. 29, 27, 2).

The Senate thus exercised a real governmental, even, one might say, parliamentary, function in debating the replies to foreign embassies. It was of course in the Senate in 167, and in response to an embassy, that Cato delivered his speech on behalf of the Rhodians.⁹

People in the Greek cities knew very well that their diplomatic efforts might need to extend beyond Roman commanders in the field to reach the Senate itself in Rome (Syll.³ 591); and also that, once there, they must also go the rounds of the houses of individual senators, to pay their respects and gain support.¹⁰

Thus, as Polybius explicitly states (6, 13, 6–9), those who came on diplomatic business to Rome in the absence of the consuls could not but think of Roman government as essentially aristocratic. Yet, as Polybius himself makes clear, that was not the whole story, even as regards war and foreign affairs. The declaration of war and the making of peace treaties both depended on the votes of the people. Often, of course, the people simply ratified proposals put to them by a magistrate, following a decree of the Senate. So it was with the declaration of war on Antiochus III in 191 (Livy 36, 1, 4–6), with Scipio's settlement of Asia in 189 (Pol. 21, 24, 2–3), with peace with Aetolia in the same year (21, 32, 1), and with the declaration of war on Perseus in 171 (Livy 42, 30, 10–11). But the great issues of foreign relations did not always pass without public debate. In 201 the consul, Cn. Lentulus, had vetoed a decree of the Senate on peace with Carthage, whereupon two tribunes had carried a *plebiscitum*, which was followed by a vote of the Senate (Livy 30, 43, 1–4). In 200 the Senate voted for war against Philip V, and the consul, Sulpicius Galba, put a bill (*rogatio*) proposing war to the centuriate assembly. But a tribune of the plebs had made public speeches against war and accused the Senate. The proposal was rejected; when it was subsequently passed, it was after a speech to the people by the consul (Livy 31, 5, 1–8, 1). In 196 emissaries from Flamininus arrived in the Senate with proposed terms for peace with Philip. The Senate approved, but the newly elected consul, M. Claudius Marcellus, wanting the chance to fight in Greece himself, so Polybius says, spoke against peace before the people. They none the less accepted the terms, and the Senate sent ten emissaries to carry them out (Pol. 18, 42, 1–5; cf. Livy 33, 25, 4–7). In 167 a praetor, M'. Iuventius Thalna, made a speech proposing to the people the declaration of war on Rhodes, only to be dragged from the Rostra by the tribune Antonius (Pol. 30, 4, 4–6). It is in relation to this episode that Livy states that the bill had been introduced without a vote of the Senate, but that the tribunes had been reluctant to veto it; for it was the custom not to veto a proposed law until private individuals had had the opportunity of speaking for and against it (45, 21).

I will come back later to the question of the reality or otherwise of public debate in Rome. But I would emphasize here the importance of public announcement and report by office-holders to the people on matters of war and foreign affairs. When the Senate had decreed the enrolment of troops, the consul would make his announcement of the call-up before a public meeting (e.g., Livy 37, 4, 1). On one occasion, in 171, when an appeal against call-up was made to the tribunes of the plebs by twenty-three former centurions, the issue was debated before a public meeting of the people. If we follow Livy's account (42, 32, 6–35, 2), speeches were made by an ex-consul, by the consul of the year, and by a former centurion, and the appeal was then dropped.

A consul might also address the people on the subject of a war before leaving for his command, as Aemilius Paullus did in 168 (Livy 44, 22, 1–16; see Pol. 39, 1), or might return to report on the situation in a public meeting, as did Claudius Pulcher in 177 (Livy 41, 10, 13). When a victory had been won, the commander's letter might be read first in the Senate and then in a public meeting, as with Flamininus' letter in 197 (Livy 33, 24, 4). More commonly the emissaries sent by the victorious general are described as appearing in the Senate and then as being brought before a public meeting—that is, as coming out from the Senate house to the Rostra a few yards away, to make a speech reporting the victory to the people.¹¹

When the victorious *imperator* himself returned, it was again the custom that he should address the people; or so Livy reports in recording the public speech (*contio*) given to Aemilius Paullus by the tribunes of 167 (45, 40, 9). It was in this speech that Aemilius recalled his prayer that any misfortunes which threatened the Roman people might fall on his own house—as had just happened, with the deaths of his two sons.¹²

Aemilius' triumph, in which one of the sons had appeared, only to die a few days later, had been the subject of violent public debate. Normally, as Polybius records (6, 15, 7–8), it was the Senate on whom the *imperator* was dependent for his triumph, a process which was a crucial means of collective control in an age of great individual victories.¹³ But on this occasion (at least) a bill was also required, to allow Paullus, Anicius Gallus, and Cn. Octavius to retain their *imperium* on the day of the triumph. A tribune of the plebs put the bill to the people meeting on the Capitol. Here too, Livy says, the opportunity was given for private individuals to speak, and a military tribune, Servius Sulpicius Galba, an enemy of Paullus, spoke against.

M. Servilius, consul of 202, intervened after the first tribes had voted against Paullus; and Cato, ignored by Livy, also spoke. Here Livy's narrative breaks off; but the triumph was of course held.¹⁴

The issue in this case had been the lack of generosity which Paullus had shown to his soldiers, who themselves were present in force at the voting. More often the *imperator* after his return faced accusations of corruption over the vast sums which now became available as booty. Once again, these repeated accusations, which certainly served the function of preventing a brief eminence in the field from being translated into a continued dominance at home, are quite inadequately interpreted in modern accounts as representing simply personal or factional struggles among senators. They were public accusations, enacted on public stages—which is what the Forum and Campus Martius were—and voted on by the assemblies. In considering them we should recall the frequent prosecutions of generals (*strategoi*) in the Athenian democracy. Like them, if less often, the Roman *imperator* faced the prospect of accusation in a popular court after his return home. Hence for instance Cato's speech recording and defending his conduct in Spain as consul of 195;¹⁵ or the prosecution brought against Acilius Glabrio before the people by two tribunes in 189 (Livy 37, 57, 12–58, 1); or the accusation of Scipio Africanus. To save notorious confusions I will quote simply Polybius' account (23, 14, 1–4): there was an accusation before the people *according to the custom of the Romans*; Scipio spoke in his own defence and the people dispersed, unwilling to hear the case further. By contrast, complaints by a Chalcidian embassy in the Senate in 170 led to C. Lucretius Gallus, praetor of 171, being brought before a public meeting, a day being set (*dies dicta*) for his trial, and his condemnation to a fine by all thirty-five tribes (Livy 43, 7, 5–8, 10). When the issue arose of the improper enslavement of the Statiellates in Liguria in 173, the Senate ordered restitution; then in 172 there was a decree of the Senate and a bill setting up an enquiry, to be conducted by a praetor. But this was not a popular court, and the praetor allowed the case to lapse, overcome by influence and supplications (Livy 42, 7–9; 21–22). In this case, therefore, popular sovereignty was exercised indirectly, with ineffective results. Absolution might also be achieved by a direct appeal to the people; so, when in 149 a tribune moved a bill over the conduct of Servius Sulpicius Galba as praetor in Lusitania, and Cato supported the proposal, Galba brought his own sons and the orphaned son of C. Gallus before the people; by these means he just escaped, "having stirred the pity of the People."¹⁶

Cicero describes this bill as being like a *privilegium*, that is, a law passed in respect of an individual. But comparable issues could also be presented in impersonal terms, as in 187, when a bill was moved for the setting-up of an enquiry into the money acquired from Antiochus III. Public speeches were made on either side, including Cato's *de pecunia regis Antiochi*, and the bill was passed by all thirty-five tribes (Livy 38, 54–55).

Thus the great victories gained by Roman commanders were fought by annual magistrates who gained their chance by a combination of election, the lot, and, sometimes, prorogation. Their actions were liable to investigation and prosecution, and the terms on which they concluded their wars were subject to senatorial approval and the votes of the people. These processes were of course frequently ineffective in practice. For instance L. Licinius Lucullus, as consul of 151, made war on the Vaccae in Spain, contrary to a treaty, without, as Appian says, ever being put on trial for it (*Iber.* 51–55/215–33). None the less, Polybius perhaps hardly stressed sufficiently the limits which, as yet, confined the “monarchic” element in the Roman state.

Italy and Rome

The situation was not wholly different as regards the relations of Italy with Rome. What is sometimes called “the Italian confederation” was not a confederation at all; this term would have surprised Polybius, who knew what a real confederation was, namely something like his own Achaean League. Rome's formal relations with Italian communities, other than citizen or Latin colonies, consisted of individual treaties, which bound the other to provide troops or naval forces; but, on a less formal and less regular basis, Roman demands for military support also affected many of its allies overseas, for instance the Aetolians, or the Achaeans themselves. Polybius had been personally involved in the contentious issue in 169 as to whether the Achaean League should assent to Appius Cento's demand that they should send a force of 5,000 men to Epirus (28, 13). Some time later, as a deportee in Rome in the mid-150s, he assisted the Epizephyrian Locrians to gain exemption from their treaty obligation to send ships for the Spanish and Dalmatian wars. It is typical of the presuppositions which we now impose on Roman politics that it can be assumed that this will have been achieved through private influence with Scipio Aemilianus (who had so far held no public office).¹⁷ We should rather presume that the Locrians sent an embassy

to the Senate, and that Polybius was asked to speak for them.

The so-called Italian confederation had in fact no collective decision-making structure. Decisions relating to Italy, or to communities within it, depended on Rome, which retained the institutions of a nuclear city-state. In other words Rome applied its normal procedure in foreign relations, the reception of embassies by the Senate. This was true even of the Latin colonies, such as Placentia and Cremona in 190 (Livy 37, 46, 9–47, 2), or Aquileia in 171 (43, 1, 5–6), just as it was of allied states. Indeed, even an embassy from a citizen colony might appear in the Senate to dispute territorial claims by a neighbouring community, as the colonists (*coloni*) of Luna did in 168 (45, 13, 10–11). It was colonisation, the spread of the citizenship, and the confiscation of land for settlement which distinguished Italy, not the supposed confederation. Otherwise, Italian allied communities differed from overseas ones only in the degree of regularity of their military obligations, and various regions of the peninsula repeatedly served as the provinces for the operations of Roman magistrates. Complaints about these operations, again, came to the Senate through embassies (e.g., Livy 39, 3, 1–2), just as with communities overseas.

This assumption about the standard means of communication is clearly reflected in the decree of the Senate about the Bacchanalia in 186. It lays down as regards the allies (*foederati*): “Let none of them have a Bacchanal. If there are any who decide that they require to have a Bacchanal, they should come to the urban praetor in Rome, and when their words have been heard, the Senate should decide on the matter.”¹⁸ The Senate did indeed begin in this period, as is well known, to issue instructions to communities in Italy.¹⁹ But documentary evidence shows it doing so equally abroad, as in the decrees of the Senate about Thisbae in 170, about the Serapeum of Delos circa 164 or about the territorial dispute between Priene and Magnesia some time in the mid-century.²⁰

But when the Senate replied to a self-exculpatory embassy from Tibur in 154, it is noticeable that the senators made quite explicit their role as representatives of the Roman people: “Since as regards these matters you have been freed of blame by the Senate, you ought, we believe, to assume that you will similarly be freed of blame by the Roman People.”²¹ The slight hesitation is interesting, and is to be seen against the repeated involvement of the people in measures affecting Italy, especially those concerning land, colonies, and the boundaries of the citizen body; the passing of such laws indeed marks an important

distinction between Italy and the other regions under Roman domination. Only if no legislation was required could matters be handled solely by the Senate; so, when Latin allies (*socii Latini nominis*) complained in 187 that their citizens were migrating to Rome, the Senate could give a praetor the task of seeking them out and sending them home (Livy 39, 3, 4–6). Equally, the Senate could rule that men from Latin colonies who had put down their names for Roman citizen colonies could not count as Roman citizens until the colonies were actually established.²² But when in 177 embassies complained in the Senate about Latin immigration to Rome and also of Samnite and Paelignian immigration to Fregellae, a Latin colony, a law had to be passed to change the rules (Livy 41, 8, 6–12; 9, 9–12), just as it had in 193 to extend the laws relating to loans made to Roman citizens to cover Latins and allies (35, 7, 1–5).

When embassies came to the Senate from Latin colonies asking for supplementary *coloni*, the Senate (it seems) could decide on a favourable reply. But, to carry out the decision, *triumviri* still had to be elected by the people.²³ New colonies certainly involved the full procedure of a decree of the Senate followed by a *plebiscitum* for the election of three men (*triumviri*), conducted by one of the praetors (Livy 34, 53, 1–2; cf. 35, 40, 5–6). But when in 197 the tribune of the plebs C. Atinius passed a law to establish five new citizen colonies on the coast (32, 29, 3–4), Livy does not expressly state that the Senate had already approved, though it may have done so. The basic principle that Roman public land in Italy was available for the profit of the Roman people had been reflected already in the tribunician law passed in 232 by Flaminius, without prior senatorial assent, for the virginate distribution of land in the Ager Gallicus. It is surely significant that Polybius, writing his second book long before the tribunate of Tiberius Gracchus, saw this as the beginning of the corruption of the people.²⁴ As yet there was little open conflict over colonies or the use of public land, though cattle breeders could be tried before the people (33, 42, 10), and a tribune of 172 could pass a law to compel the censors to lease out the Ager Campanus (42, 19, 1). Seven years later the Senate gave the urban praetor, P. Cornelius Lentulus, the task of buying out the private landholders who occupied large parts of the Ager Campanus, and thus restoring it to effective public use. It is noteworthy that he had a bronze map of the land in question put up for public inspection in the Atrium Libertatis (Gran. Licin., 9–10 Flem.). But, at least down to the late 170s, newly conquered land was still available for distribution in northern Italy

(Livy 13, 4, 3–4). It was to be when major conflict arose over the existing stock of public land in Italy that the Roman revolution began.²⁵

Equally, it was for the people to extend the Roman citizenship if they so wished. Our only illustration of the large-scale process by which (as it seems) all the communities with the citizenship without the vote gained the full citizenship is the law of 188 passed by a tribune to give the citizenship to Formiae, Fundi, and Arpinum. Four other tribunes interceded because there had been no prior decree of the Senate but desisted “when instructed that it was the right of the people, not the Senate, to give the vote to whom it wished” (38, 36, 7–9). This evidence forms a useful complement to Polybius’ observation, which he relates to the use of the veto, that the tribunes’ role is to carry out the wishes of the people (6, 16, 5).

The Internal Regulation of Society and Government

If controversy is rarely attested as regards the exploitation and management of Italy, the same is hardly true of the internal regulation of the Roman community itself. Here too, we should give the proper emphasis to the rules which expressed the power of the people over its elected magistrates.²⁶ Already from the previous century we may note not merely the Lex Claudia, but the tribunician law of 242: “Let the urban praetor now in office, and any future holder, have two lictors in attendance and give justice between the citizens up to the last hour of the day.”²⁷ In similar vein the tribunician Lex Silia of the second half of the third century had established fixed weights and measures, and imposed a fine on any magistrate who contravened them.²⁸ Then, at some point between 242 and 124, a tribunician Lex Papiria obliged the urban praetor to see to the election of “three men in charge of capital cases” (*tresviri capitales*), and laid on them in their turn the duty of judging in accordance with the laws.²⁹ A tribune could also carry a *plebiscitum* to compel the magistrates in office in a particular year to follow a certain course, as Terentius Culleo did in 189, in obliging the censors to enrol all of free birth (Plut., *Flam.* 18, 1).³⁰ Perhaps even more significant is the standing obligation on all magistrates to take an oath to obey the laws within five days of assuming office (Livy 31, 50, 6–7).

It hardly needs to be said that this period saw a steady evolution of the rules and conventions regulating the conditions of access to office; L. Villius’ tribunician law of 180 on the ages at which magistracies

might be held is merely the most prominent of them.³¹ Changes in the rules, or the creation of new offices, required a vote of the people, as in the creation of “three men in charge of the public feasts” (*tresviri epulones*) in 196 (Livy 33, 42, 1), or the law to allow military tribunes to be appointed by the *imperatores* in 171 (42, 31, 5). Much more significant is the fact that problems over office-holding, and disputes between office-holders, were resolved either by legislation by an assembly, or by a trial before a popular court. Thus the tribunes of 200 passed a *plebiscitum* to allow the flamen Dialis to have a substitute take his oath as curule aedile for him (31, 50, 7–9); by contrast, in 189 when the pontifex maximus forbade a later flamen Dialis to go to his province as praetor, and imposed a fine, appeal was made to the tribunes, and the case was heard before the people (37, 51, 1–5). In 180 the pontifex maximus ordered a *duumvir navalis* (an official in charge of the fleet) to abdicate before being appointed to a priesthood as *rex sacrorum*. When he refused, the pontifex again imposed a fine, the *duumvir* appealed and the case was heard by the thirty-five tribes (40, 42, 8–10). In 169 a complex conflict between the censors and a tribune of the plebs involved a series of moves, all in public—the imposition of a fine before a public meeting, the promulgation of a bill, speeches on either side, and finally the trial of the censors for treason before the centuriate assembly. A public demonstration by the first men of the state was just enough to ensure acquittal, with a mere eight centuries lacking for condemnation (43, 16).

We do not always know whether laws for the regulation of society occasioned public controversy or not. What we do know is firstly that they were seen as being imposed by the people—“many laws did the people pass on your account,” as Curculio says to the money-lenders in Plautus’ play (*Curc.* 509). Secondly, the office-holder concerned will have made a speech proposing a law to the people; but others might also speak, for or against, as we know (for example) of the Lex Cincia of 204 (Cic., *Cato* 10) or the Lex Voconia of 169.³² Equally, Cato as consul of 195 spoke in public against the abrogation of the Lex Oppia, as proposed by two tribunes; but it was abrogated all the same (Livy 34, 1, 1–8, 3). He seems to have spoken similarly against abrogation of the tribunician Lex Orchia of 182, regulating expenditure on dinners; whether it was in fact abrogated remains unclear (*ORF*³, Cato XLV).³³

Even when a formal vote by the people may not have been in question, we can see a tendency (as with reports of military

operations) both to direct persuasion and information at the people in the form of speeches, and to conduct ritual actions in public before them (see text to nn. 78–80). Thus, as Polybius records (31, 25, 5), it was in a speech to the people that Cato made his complaint that slave boys sold for more than fields, and jars of pickled fish for more than slaves employed as ploughmen. The sumptuary laws of this period may indeed be understood “in the context of the urgent need of the second-century aristocracy to preserve the cohesion of the group.”³⁴ But popular attitudes are relevant also. As Cicero was to say, commenting on an incident in 129, the Roman people appreciated public magnificence and hated private luxury (*Mur.* 75–6). Plutarch, however, alleges that Cato also spoke to the people against the distribution of corn or money (*Cato* 8, 1). The occasion for some or all of these speeches may have been his censorship, when we know that he justified in a speech to the people his omission of L. Quinctius Flamininus from the Senate.³⁵ Similarly, in the Bacchanal affair the actual steps were taken by the Senate (see text to nn. 18–20); but the consuls still ascended the Rostra, addressed the people on the issue and announced rewards for informers (Livy 39, 15, 1–17, 3). For these rewards the Senate had been able to vote money from the state treasury (*aerarium*); but on the question of allowing P. Aebutius exemption from military service, and from being assigned a public horse (*equus publicus*), and of granting special rights in private law to Faecenia Hispala, a tribune of the plebs had to put a *plebiscitum* to the people (39, 19, 3–7). For these were exceptions as against the normal rules of the community.

Election to Public Office

I do indeed wish to suggest that we have somehow left out of our conceptions of the working of the Roman state both open conflict on issues and the importance of all forms of oratory addressed to the people. The second of these at least, so it has often been held, does not apply to elections. The elections, on this view, were determined from above by the operations of *clientela* and other forms of dependence. Not programmes or political attitudes, but persons—or even membership of a particular *familia* or *gens*—decided the results; it is a sign of this that the candidates did not make election speeches to the people. The entire process, therefore, although formally democratic in varying degrees, depending on whether it involved the tribal assembly or *centuriata*, was in reality a charade, determined by a self-perpetuating oligarchy, the *nobiles*.³⁶

This view would have surprised Plautus, who reflects the conception that public office was an *honor* bestowed by the vote (*suffragium*) of the people (*Bacch.* 438). It is entirely in consonance with this that it was the custom for a consul designate to ascend the Rostra and make a speech of thanks to the people (Plut., *Aem. Paul.* 11, 1). The standard view rests on a series of presumptions, in the light of which the evidence can be read; some of these presumptions have already been disproved in recent work. As for *clientela* and dependence, there will be more to say later (text to nn. 66–69). However, as regards *familiae* and *gentes* no one, of course, will dispute the importance of descent in Roman public life. It is Polybius himself (6, 53–4) who records both the display of ancestral death masks (*imagines*) at the funerals of prominent Romans, and the custom by which a son or other relative mounted the Rostra and discoursed to the people on the virtues of the deceased, and then of his ancestors, beginning with the most ancient. But, here again, we have information and persuasion addressed to the people, publicly, from the Rostra. To Cato it was a custom which belonged in the past that after dinner, in private, the diners had sung “the praises and virtues of famous men.”³⁷ In his own day it was in public, in the Forum, and by the medium of oratory that the services of office-holding families were rehearsed repeatedly before the people at large.

Since 264 the occasion of a prominent funeral had been further underlined by recommendations of a more concrete kind, in the form of funeral games, first with gladiatorial displays, then with theatrical performances as well. The scale of the shows grew rapidly, from three pairs of gladiators performing in the Forum Boarium in 264, to twenty-two in 216, twenty-five in 200, and sixty in 183, accompanied by a distribution of sacrificial meat (*visceratio*) and a dinner in the Forum. In 174 a mere thirty-seven pairs fought in the funeral games for Flamininus, but accompanied by a distribution of sacrificial meat, a banquet, and theatrical shows for four days.³⁸ We know from Polybius, speaking of the gladiatorial show which accompanied the funeral of Aemilius Paullus, that a good performance cost some thirty talents, or 720,000 HS (31, 28, 5–6). Once again, these were displays directed to the public at large.

But if the importance of direct descent from former holders of office was ever more emphatically stressed to the public, the more general presumptions of modern scholarship can now be seen to be exaggerated. Firstly, there is no clear proof, as regards the historical

period, that a Roman *gens* was a significant element in society, with a known membership and boundaries, defined functions or common interests. Recent demolitions of the long-supposed fundamental importance of the *genos* in Greek society should make us very cautious here.³⁹

Secondly, it has recently been demonstrated by Brunt, and in even more detail by Hopkins and Burton, that there was more fluidity in the occupation of office over generations than previous theories presupposed.⁴⁰ These analyses of course confirm what is undeniable, that the higher the offices reached by a man's immediate ancestors the better his chances of high office himself. Yet succession to office-holding in the same family depended on the birth of sons and on their survival to the right age, on the financial resources of the family, and on willingness to enter public life. As a result, for instance, while two-fifths of consuls were the sons of consuls, as many as one-third had no consular ancestor in the previous three generations; only one-third of consuls had a son who was also consul. This very figure, however, demonstrates a substantial degree of social bias in the occupation of the consulate. The prestige of families and the importance of descent certainly made high office harder to obtain the lower the rank achieved by immediate ancestors. But there was constant fluidity; and in exceptional cases, like that of Cato, a man with no office-holding ancestors could rise, by election, to be consul and censor.

Thirdly, the much-used term "the patrician-plebeian nobility" is variously misleading. *Nobilis*, or *nobilitas*, was never a technical term, like peerage, referring to a closed and legally defined group; these words are *descriptions*, appearing in late republican literature. Even the late-republican semi-technical usage—whether confined, as Gelzer thought, to descendants of consuls or their equivalents, or applied, as Brunt has shown, to those of a wider group of office-holders—happens not to be specifically attested in the (admittedly slight) surviving literature of our period.⁴¹ We are not entitled to *assume* that this semi-technical usage was already current. Moreover, the application of these terms, both in the late Republic and in modern works, to any descendants, however remote, of the relevant office-holders conceals considerable fluctuations in the occupation of office over generations.

Finally, as regards our conception of office-holding in this period, we have perfectly clear evidence as to what succession to office would have been like if there had in fact been no open competition, and if the apparently democratic elections had in reality masked an effective

process of co-optation managed from above. For the colleges of priests were still filled by co-optation, and the occupation of priesthoods shows the common acquisition of the role at an early age, retention for life, and a high rate of succession within families, including direct succession from father to son.⁴² It is hardly surprising that transfer of the right of appointment to be in the gift of the people was to be put forward as a bill in 145 (Cic., *Lael.* 96), and achieved in 103.

If we go back, once again, to Polybius, he tells us, firstly, that cavalymen were liable for ten years' military service and, secondly, that no one could hold office who had not completed ten years' service (6, 19, 2–4). It is thus reasonable, if not absolutely certain, to accept the view of Gelzer, argued more fully by Nicolet, that the census rating of an equestrian, whatever it was in this period, was a prerequisite for public office.⁴³ Public life was thus not only strongly influenced by descent, but was, in a strict sense, timocratic. That is all that Polybius says about qualification for office, other than his remark that it is one of the prerogatives of the people to bestow honour

(τιμή) —or, in different words, “to give magistracies to those who are worthy, which is the fairest reward of excellence

[καλοκαγαθία] in the state” (6, 14, 4 and 9). This is a significant aspect of what he means by the “aristocratic” element in the Roman system.

The only other point which Polybius makes about elections is that, whereas at Carthage people gain office by openly offering gifts, in Rome the penalty for that is death (6, 56, 4). Laws on bribery (*ambitus*) are known to have been passed in 181 and 159, though nothing is known of their content. But the fact that the need was felt to take measures against electoral malpractice is a clear hint that adequate support could not be secured on the basis of personal relations of dependence. So too is the rising level of display and munificence directed to the public at large. Triumphs, which were the subject of repeated debate in the Senate, and on one occasion by the people (see text to n. 14), could also be accompanied by shows lasting many days, as in that of Scipio Africanus in 201 (Pol. 16, 23, 7). Polybius also records the temporary theatre erected in the Circus by L. Anicius in association with his triumph in 162 (30, 22). More common was the device of votive games. If the Senate approved, a sum could be set aside from the money carried in a triumph to fulfil the vow made to a god in the event of victory. So L. Fulvius Nobilior's triumph over Aetolia in 186 was distinguished by performers from Greece, the

first athletic competition ever held in Rome, and a hunt of lions and panthers (Livy 39, 5, 7–10; 22, 1). But by 182 the Senate felt the need to restrict the means of gathering resources for games, and in 179 laid down that expenditure should not exceed the total spent on Nobilior's triumph in 186 (Livy 40, 44, 8–12).

Such displays by consuls or proconsuls could be of direct relevance to the future electoral prospects of the man himself (as opposed to his sons) only in the rare case of a possible second consulship, or for the most vigorously contested election of all, for the censorship—an office which, as we sometimes forget, gave far more, and more continuous, political power in Rome than any other. So M'. Acilius Glabrio, who had triumphed in 190 (Livy 37, 46, 2–6), was a formidable candidate for the censorship in 189, above all “because he had given largesses, by which he had attracted a large part of the population to himself” (37, 57, 10–11). But at a lower level, the curule aedileship, the giving of elaborate shows was becoming regularly associated with office—for instance, the first theatrical shows to be put on at the Megalesia, in 194 (34, 54, 3), or the sixty-three panthers and forty bears and elephants shown at the circus games in 169 (44, 18, 8). It is impossible not to see these as competitive gestures designed to win popular favour and enhance future electoral prospects. Like funeral orations and games, and like triumphs (whose public image is reflected in Plautus, *Bacchides* 1069–75), these displays were directed to the public at large—not to defined groups of supporters but to whatever section of the populace happened to turn up.

As regards the elections themselves, we had better start by admitting how little we know. Granted that ten years' military service was a prerequisite, as was (almost certainly) the census of an equestrian, how many men typically sought any public office in each generation, and how many tried, and failed, to reach the higher offices? In other words how far did unwillingness to stand, lack of funds, or an anticipation of failure serve to limit competition from the beginning? We know for instance that Cato's great-grandfather, presumably born around 330, had served as a cavalryman, and was thus probably qualified for office (Plut., *Cato* 1, 1). Did neither he, nor the grandfather, nor the father choose to stand, or did they try and suffer defeat?

It was clearly common, though in no way formally required, that a man's first public office should be as one of the twenty-four military tribunes elected each year by the tribal assembly; this is at any rate

known of all three of the figures from this period of whom we have biographies: Cato, Flamininus, and Aemilius Paullus. Was there competition already at this level? All we know is that in 151 a crisis was created by the *absence* of candidates (Pol. 35, 4, 4), which clearly implies that in normal years there were at least enough. If we think only of the normal twenty-four successful candidates (subtracting the older men, even ex-consuls, who might still hold this post), mortality alone will clearly not have reduced competition to the two who would hold the consulship twenty to twenty-five years later. But our literary evidence hardly ever dwells on the competition for offices lower than the consulship or censorship, and not always even there. A single chance item records that Aemilius Paullus had twelve competitors for the aedileship of 193 (Plut., *Aem. Paul.* 3, 1), all of whom were said to have subsequently reached the consulship; the implication is evidently that it would have been normal that not all of them would achieve the consulship. However, Antiochus Epiphanes' performances in the agora of Antioch strongly suggest that competition was normal in elections for the aedileship and tribunate. We should also remember the normal preliminaries to a political career which Polybius notes—greeting men in the Forum and engaging in advocacy in order to recommend oneself to the people. That point is exactly matched by Plautus' representation in *Menaechmi* (571–601) of men seeking as many *clientes* as possible, in cases before the people or *in iure* (before the praetor) or *ad iudicem* (before a judge)—all taking place in the Forum. Alternatively Plutarch implies (*Cato* 1, 4) that Cato built up his earliest support by advocacy in towns and villages outside Rome; what courts Plutarch means to refer to is not clear.⁴⁴

Advocacy must have created some obligations on the part of the persons represented (it is significant that the tribunician Lex Cincia of 204 had made illegal more concrete expressions of gratitude); it will also, perhaps more important, have established a reputation as an orator among the citizens who voted in judicial assemblies, or just those who were anyway to be found in the Forum area, and might provide an audience. But when we come to the electoral process itself, as has often been noted, we do not seem to find formal election speeches either by the candidates themselves or by their supporters. In one case, however, the censorial election of 184, Livy (39, 41, 3–4) does seem to imply that Cato made public statements in support of his own candidature and that of Valerius Flaccus, and Plutarch explicitly states that he made speeches from the Rostra (*Cato* 16, 5–8). The normal pattern, however, was different: the candidate in his white

toga appeared in the Forum (cf. Polybius 10, 4, 9–5, 1) and solicited votes, and his supporters did likewise on his behalf. It was only because he was actually consul, and about to conduct the election himself, that it was thought improper that Claudius Pulcher canvassed for his brother in the elections in spring 184. His canvassing consisted of rushing about the Forum, accompanied by his brother, to the shouts of his opponents and the majority of the Senate (Livy 39, 32, 5–13). A similar scene is presented by Livy's description of the consular elections of spring 192 (35, 10). The patrician place was contested by Cn. Manlius Vulso, eventually consul in 189; P. Cornelius Scipio, successful in the following year, 191, supported by his cousin, Scipio Africanus; and L. Quinctius Flamininus, supported by his brother, who exploited his more recent military glory, and his brother's role in it, to win the place.

All six competitors for the consulship of 192 were in fact successful within a few years. One or two unsuccessful campaigns could indeed be expected; but Livy is probably right to imply elsewhere that to be rejected three times could be a source of reproach (39, 32, 6–8; 40, 37, 6). If so, it is more than likely that there was a degree of self-selection and that men would be wary of the public shame of rejection. Even at the level of the consulship we can hardly pursue this point further, for Livy does not record for every year even who the unsuccessful candidates were.⁴⁵ It is possible to list 174 holders of the praetorship between 218 and 166 who never held the consulship;⁴⁶ but we cannot tell how many of them ever stood for it. Especially for men of relatively undistinguished ancestry, a lower office may often well have seemed to confer glory enough.

Finally, as regards the censorship, all the known candidates in this period were ex-consuls. Contested elections were common, again on the basis of one patrician and one plebeian place, but are not attested for every occasion.⁴⁷ It is more than likely that not all ex-consuls sought this office.

It is better in any case to leave aside the special conditions of the quinquennial election of two censors, and to look at the entire process of the annual elections. This produced in each year twenty-four military tribunes, ten tribunes of the plebs, two curule and two plebeian aediles, probably ten quaestors,⁴⁸ six praetors from 197 onwards (six and four alternately from perhaps 181; Livy 40, 44, 2), and two consuls, not to speak of minor offices such as the *tresviri capitales* (three men in charge of capital cases); the total, therefore,

comes to more than fifty annually elected offices. We have of course some hints as to factors which were relevant in producing success or failure. As emphasized earlier, descent from office-holding ancestors was repeatedly stressed before the Roman people. It is clear too that a man's relatives in his own generation, a brother or a cousin, would lend active public support in an electoral campaign. In a different context, that of a trial, Livy records that P. Cornelius Nasica, speaking in defence of Scipio Africanus, recalled in a speech the glories of the Cornelian *gens* in general and of his own branch (*familia*) of it in particular (38, 58, 3–59, 10). Beyond that, Livy implies that it was surprising that P. Cornelius Scipio should have been rejected for the consulship for 192, although not only was his cousin Africanus canvassing for him, but the *Cornelia gens* was supporting him, and a Cornelius (L. Cornelius Merula) was conducting the election (35, 10, 9). In this last point there has long seemed to lie one of the keys to the electoral process; but Rilinger's study has shown that the role of the person conducting the elections was severely restricted by convention, public opinion, and the essential fact that the entire process was conducted in public.⁴⁹

What factors were most important over the entire range of annual elections we do not know.⁵⁰ We can, however, reasonably accept that an important part was played by descent, by the support of relatives if a man came from a famous family, gratitude on the part of former *clientes* in court, by reputation as an orator, and by glory won on the field of battle. But all these factors had to be re-emphasized in a public process of competition immediately before the election. No source explicitly attests that a *cliens* was under an obligation to vote for his *patronus*, still less for a political ally of his *patronus*.

That descent played a more important part the higher the office concerned is not surprising, and should not of itself lead us to characterize the entire process as non-democratic. Aristotle had regarded the direct popular election of archons in Solon's constitution as an aristocratic aspect of it (*Pol.* 2, 12, 1273b). The implied contrast is with appointment by lot, which played no role in Rome—except of course in the vital area of the distribution of provinces. But in the fifth-century Athenian democracy, to which appointment by lot was fundamental, the people, so the Old Oligarch observed (1, 3), none the less had the sense to fill the major military offices of the *strategia* and the *hipparchia* by election, and to leave them to their social superiors.

The voting behaviour of the Athenian *demos* (and the self-selection

of candidates for the *strategia*?) in the first two-thirds or so of the fifth century clearly did in fact exhibit a marked class bias, as is shown not least by the reaction to the rise of the “new politicians” in the Peloponnesian War.⁵¹ But it would be quite wrong to draw from the evident fact of deferential voting the conclusion that Athens of the earlier fifth century was not a democracy. To raise the same question about Rome in the first half of the second century is not of course to assert an identity, or even close resemblance. It is to ask whether we have not misconstrued the character of republican politics by not taking seriously enough the democratic element which Polybius believed himself to have observed.

The Democratic Element and Its Limits in the Classical Republic

Two of the three elements which Polybius discovered in the republican political system are hardly controversial today. Firstly, no one will dispute the “monarchic” power wielded by consuls and praetors, proconsuls and propraeors, when actually in the field. Even so, I have tried to indicate the extent of their real dependence, in various ways, on Senate and people (see text to nn. 11–16). Nor will anyone dispute the “aristocratic” (not, it should be noted, “oligarchic”) element, namely the centrality of the role of the Senate. To talk of it as a “government,”⁵² however, is quite misleading; for the term itself is anachronistic when applied to an ancient city-state. But on the other hand Nicolet has emphasized in important recent work that it is also unrealistic to see all the Senate’s functions as “advisory.”⁵³ Its votes produced effective decisions on (for instance) the provinces to be filled each year, the size of the forces to be raised, the answers to be given to embassies and the award of triumphs. It is indeed precisely in such areas that our sources show it debating, and providing an arena for personal conflicts, in a manner analogous to a true parliament. But once again it must be stressed how little we know of the Senate as a whole, as a political body. Under the terms of the tribunician Lex Ovinia of the later fourth century its 300 members were enrolled by the censors, in office for eighteen months out of each five-year period. If about twelve new members were needed per annum to keep up the full complement,⁵⁴ each pair of censors will have enrolled about sixty, or a fifth of the total. However, hardly any evidence from this period even illustrates the relevant criteria. For that we have to go back to the emergency enrolment of 216, when 177 were chosen, in the following order of preference: men elected to a curule magistracy since the last censorship; former aediles, tribunes

of the plebs, and quaestors; holders of minor magistracies; those who had set up captured spoils at home or won a civil crown (Livy 23, 22, 10–23, 7). Similarly, it was evidently significant when a tribune of the plebs was *not* enrolled by the censors of 169/8 (Livy 45, 15, 9).

Each pair of censors will in fact have enrolled rather more than sixty members, because they also normally ejected some, often a small number; these are several times identified by Livy as men who had not held a curule office.⁵⁵ But in a famous incident Valerius Flaccus and Cato in 184/3 ejected an ex-consul, L. Quinctius Flaminius, and (see text to n. 35) justified this step in speeches before the people. In 174 the nine ejections included a praetor and an ex-praetor (n. 55).

It is clear, therefore, that membership of the Senate normally depended, in the loose way described, on election to public office; the class of elected office-holders and the class of senators were thus roughly co-extensive. Beyond that, it would be absurd to pretend that we have anything like enough evidence to characterize the attitudes, voting behaviour or personal or group attachments of its 300 members at any one time. All that we can observe is that, in those areas where the Senate had an effective right of decision, recognizable elements of political behaviour came into play. Greek ambassadors might make the rounds of senators' houses to gather support (see text to nn. 8–10). A consul might attempt by a speech in the Senate to get it to reverse the allotment of provinces for the year (Livy 38, 42, 8–13). In the highly contentious area of the granting of triumphs the friends and relatives of the *imperator* would try to use their influence. Thus a praetor of 200 returned to Rome from campaign, and speeches by himself and his friends persuaded the Senate, against the wishes of the absent consul, to vote a triumph (Livy 31, 47, 6–49, 3). The relatives and friends of Manlius Vulso performed a similar function in 187 (38, 44, 9–50, 3), and his friends later persuaded the Senate “to curry favour with the people” by paying back the tax collected for the war (39, 7, 4–5). In the same year M. Fulvius Nobilior returned to ask the Senate to vote him a triumph. When a tribune said he would veto this until the return of the consul, M. Aemilius Lepidus, Fulvius spoke of the enmity between himself and the consul, and Sempronius Gracchus is reported to have reminded the tribune that his office had been entrusted to him by the people “for rendering assistance to and protecting the freedom of private citizens, not for bolstering up consular domination” (39, 4, 1–5, 6).

As regards the politics of senatorial decision making, what we

know therefore is, firstly, the operation of publicly acknowledged individual friendships and enmities, *amicitiae* and *inimicitiae*, on the part of a few prominent persons only. The most public of all was the enmity between these same two, Aemilius Lepidus and Fulvius Nobilior, who were formally reconciled in a public ceremony after their joint election as censors for 179 (40, 45, 6–46, 15). What we do *not* know, and have no right to presume, is the existence of larger groupings or associations, “Scipionic” or “Fulvian” parties or factions,⁵⁶ covering any significant proportion of the 300 members of the Senate, or (still less) extending over successive generations. We cannot ignore the fact baldly and correctly stated by P. A. Brunt: “No such stable groups are explicitly attested at any period.”⁵⁷ That being so, expressions of reservation or caution, which have often been registered,⁵⁸ are not sufficient. On the contrary, it is for those who follow the “factions hypothesis” to state what its logical and evidential foundations are.

Until that is done, we should start from what is explicitly present in the evidence. The Senate met in a variety of locations, all of which were were technically *templa* (places formally rendered sacred by inauguration) and of which the most important was the Curia Hostilia.⁵⁹ The Curia lay directly adjacent to the traditional meeting place of the people, the Comitium, so that the Senate could actually be described in contemporary documents as meeting “in the Comitium.”⁶⁰ In consequence emissaries from victorious generals could go directly from the Senate to address the people from the Rostra (see text to nn. 9–11); and Livy may not be relying entirely on imagination in describing some Rhodian ambassadors in 167, when excluded from the Senate, as standing in the Comitium imploring the by-standers not to credit the charges against them (45, 20, 4–10).

For most of each year the consuls were away from Rome, as were (normally) four of the six praetors, the holders of prorogued commands, military tribunes, *legati* (emissaries), and others absent on public business. We have no means of knowing how these absences affected senatorial opinions and voting, or even what the typical level of attendance was (the *s.c. de Bacchanalibus*, however, prescribes a quorum of 100). All that is probable is that the Senate will have been summoned and consulted more often by the urban praetor—that is, the one of the six praetors on whom, after election, the lot for this province had fallen—than by any other magistrate.⁶¹ Once the Senate had met, we know very little, for this period, about how the order of

speaking or the method of voting was determined; a report by Polybius relating to 155, however, makes clear that after opinions had been expressed the presiding urban praetor was free to choose which motions to put to the vote (33, 1). Here and elsewhere it is certain that the making of speeches played a central role. We have already seen various examples of speeches in the Senate, of which Cato's speech for the Rhodians in 167 is the best preserved (see text to n. 9). It is unfortunate for our entire conception of the Senate that so few speeches are explicitly attested as having been made *in the Senate* on the subject of proposed legislation. But even with that limitation we can surely accept the implication that the proceedings of the Senate took the form of a succession of speeches. Its decisions *may* indeed have been effectively predetermined by personal or group allegiances among its members; but such allegiances, if thought of as extending throughout the 300 members at any one time, are entirely hypothetical. If there is evidence for them it should be produced. For the moment, there is no reason not to assume that it was debate in the Senate which gave rise (for instance) to the complex considerations upon which, as Polybius records, it decided on operations in Illyricum in 157 (32, 13, 1–9). Here, but not in legislation, the Senate could *decide*, by making Illyricum a province for the year, and allotting forces to it. When it came to legislation, or to war and peace, the Senate could not decide; and its wishes could be translated into action only by an elected magistrate with the power to step outside, proclaim his intention to propose a law, and later summon the people, address them, and call them to vote.

For if oratory was, so far as our evidence tells us, the chief influence brought to bear on voting within the walls of the Senate, the same was true of the open-air meetings of the citizens. In seeking a valid conception of this we might start from the touching image in the *Annales* of Ennius (7, 234–51 Vahlen/210–27 Warmington) of Servilius Geminus (the one who died at Cannae) returning home tired after spending most of his day directing the affairs of state “by his counsel in the broad Forum and the sacred Senate.” We might also recall Ennius’ description of M. Cornelius Cethegus, “the honey tongued” consul of 204, nicknamed by his fellow countrymen (*populares*) “the choice flower of the People and the marrow of persuasion.”⁶²

Legislation, war, and peace were decided by the people, who were summoned to the Forum or to the Capitol to be addressed in speeches,

and who voted (for legislation) as the tribal assembly in the Forum and (for war and peace) as the centuriate assembly in the Campus Martius.⁶³ No less important, and no less subject to oratory, were the meetings of these same two assemblies to hear capital cases or vote on fines imposed by magistrates. Great uncertainties, as is known, attend the question of the juridical character of these popular courts, and the range of offences and persons which they actually judged.⁶⁴ But we ought to be impressed by the image of the criminal trial before the assembly, as it appears in Plautus.⁶⁵ The forty-four accusations which Cato underwent in the course of his career will all have been before these popular courts, and provide an extreme instance of the importance of the political trial before the people (Pliny, *NH* 7, 200). But we know too, from the *Annales* of Calpurnius Piso (*cos.* 133), that ordinary citizens could stand trial before the tribe, and address the citizens in their own defence (Pliny, *NH* 18, 41–3; Peter, *HRR*, F. 33).

Was all this a charade managed from above—the election of over fifty office-holders a year, the declaration of war and the voting on treaties, the passing of legislation, the trials of office-holders and private citizens? For over half a century modern books have asserted and reasserted in varying terms the proposition that the citizen body was powerless, largely because it was bound by relations of dependence, sometimes all subsumed under the term *clientela*.⁶⁶ It can even be claimed that we are entitled to apply to ancient societies the now established common-language (or sociological) use of terms like “clientage” and “patronage” without regard to the presence, or precise use, of equivalent terms in the society in question.⁶⁷ But to say that is to say that curiosity about the exact nuances of ancient social and political relationships is superfluous. Of course it does matter what words were used, and what forms of relationship are actually attested in any particular period. It is of considerable significance that the major re-examination of *clientela* by N. Rouland, published in 1979, concludes that the institution of *clientela* was in decline in the second century B.C.⁶⁸ If there is clear evidence for *clientela* as a *dominant* factor in voting behaviour, either in legislation or in elections, it is time for it to be produced. By contrast the importance of measures directed to the acquisition of favour among the population at large, and the significance of the *substance* of major political issues, and their relevance to the interests of the population, are patent in our sources.⁶⁹ Once again, as with the supposed factions, or lateral connections, which allegedly dominated voting in the Senate, it would have to be proved that these supposed vertical relations of obligation

and attachment constituted a dominant factor in the behaviour of voters *throughout* a by now very large citizen body. No such demonstration has ever been offered; until it is, we should attend to what our sources tell us, that some people made speeches and other people voted.

On the other hand, the sheer size of the citizen body, which in this period numbered some 200,000 to 300,000 adult male voters, and its geographical distribution, has its own relevance to the question of democracy. P. A. Brunt once wrote (*Italian Manpower*, 3): "The citizen body was so numerous and so scattered that in the absence of the representative principle the democratic features which they (Roman political institutions) seem to manifest were bound to be illusory in practice, and Rome could consequently not enjoy a genuinely popular government." There was indeed no notion of representation or local ballot stations. The archaic institution of the assembly in the Forum, the Capitol, or the Campus Martius remained the only means by which the citizen could record his vote. But Roman citizens now occupied blocks of territory which stretched north-eastwards to the Adriatic coast and southwards into Campania, a maximum distance of about 100 miles in each direction; furthermore, in northern Italy a few Roman citizen colonies were established at a greater distance—Parma and Mutina in 183, Luna in 177. Distance, social status, and economic resources must have exerted a fundamental influence in determining which persons out of the vast number with theoretical voting rights actually came to vote. The consular and praetorian elections, held towards the end of each year of office (15 March–15 March), were at least predictable, and more voters may have come for them. But the rule which laid down publication of proposed laws for three successive *nundinae* (eight-day periods), which Rutilius Rufus, consul of 104, was to emphasize as a means of public information (Macrobius, *Sat.* 1, 16, 34), was itself a primitive institution, best adapted for peasants coming in to market from a few miles around the city.

It could not be claimed, therefore, that the system created, or even allowed, an equal opportunity to vote for all citizens. For comparison, the citizens of the Athenian democracy lived at a maximum distance of some thirty miles from the Pnyx, where alone they could cast their votes. This too will have meant, for those who lived furthest away, a round trip of up to two days. In Athens too, therefore, distance and social class will have exercised a profound effect on who voted. Rome

shows the same pattern in a much more extreme form.

To Polybius the Roman voters were simply “the people” (ὁ δῆμος). It is perhaps the most significant gap in what survives of his account of the Roman constitution that he does not describe the system of voting in groups, or differentiate between centuriate assembly and tribal assembly, or indicate either the stratification by social class or the sequential voting which characterized the *centuriata*. This form of assembly, whose functions covered the election of censors, consuls, and praetors, the making of war and peace and (as a court) capital condemnations, was thus “popular” in only a limited and specific sense. The same considerations did not, however, apply to the tribal assembly, on which all legislation depended. None the less the procedure of group voting by the thirty-five tribes will have served to prevent any possibility that decisions could have been dominated, by simple majority, by those who lived in Rome or nearby.

That the form of meeting, the order of voting, and the custom of giving each man’s vote orally, in the hearing of others, were indeed all felt as restrictions on the liberty of the people is clear from the legislation, proposed or carried through, of the following half century. Licinius Crassus, as tribune in 145, took some step, which remains not quite clear, to shift the location of voting from the confined space of the ancient Comitium to the large and still uncluttered area of the Forum⁷⁰—which was easily large enough, after all, to accommodate as large a crowd as could have heard an unaided human voice. Gaius Gracchus is said to have proposed that the centuries of the centuriate assembly should no longer vote in the fixed order of the census classes (*classes*).⁷¹ The four laws which established voting by secret ballot—in 139 for elections, 137 on popular courts, 131 or 130 on legislation, and 104 on trials for *treason*—were reactions to a perceived restriction on the liberty of the people, as was Marius’ law of 119 on the width of the “bridges” (*pontes*) along which people came up to vote (Cicero, *De leg.* 3, 33–9). Yet the first three of these laws must themselves have been passed by open voting. They belong, like much of the Gracchan legislation, like the law of 104 subjecting the appointment of the priestly colleges to a form of popular election, and like the “pirate” law from Delphi and Cnidus, to a movement which can be regarded as an assertion of popular sovereignty.⁷²

That was a new phase, closely connected with increased popular pressure for the exploitation of the empire and the effective conduct of military operations;⁷³ there is again a parallel with classical Athens.

But if we return to our period, to the first half of the century, we should none the less not dismiss too readily the democratic, or at least “popular,” features which were inherent in the system. This remains so in spite of a number of obvious limitations: the restriction of actual office-holding to a narrow social class;⁷⁴ the highly imperfect fit between the custom of collective voting in Rome and the geographical spread of the citizen body; the class stratification of the centuriate assembly; the primitive system of open oral voting; the limited proportion of the total citizen body which either did vote, or could have voted, in the established voting areas;⁷⁵ and the evident absence of class-consciousness and presence of political acquiescence and deference to rank which characterized the period.⁷⁶ There is also the fact, which has often been stressed, that the assemblies (like the Senate) had no fixed agenda or dates of meeting, and could be called only by a magistrate; they could also only vote on matters which a magistrate put before them. But to emphasize all these aspects is also to miss, firstly, the sheer range of issues over which a popular vote, however we choose to characterize it, was indispensable. Democracy, as Guarino has emphasised, is first of all a strictly constitutional concept.⁷⁷ Secondly, it is to miss, as has been stressed repeatedly, the extent of the rhetorical persuasion and the visible display which were directed, often in a context of mutual competition or accusation or conflict, by the office-holding class to the populace at large. But, thirdly and most important of all, it is to miss the symbolic importance of the public spaces of Rome and of the performance of communal acts there before whatever persons happened to be present.

The central importance of publicity in the Gracchan extortion (*repetundae*) law has recently been brought out, for the first time, by Sherwin-White.⁷⁸ Similar conceptions inform the Latin law of *Bantia*.⁷⁹ Within five days office-holders were to take an oath standing “before the temple of Castor in public during daylight, facing the Forum” (ll. 16–18); senators were to do so “before the quaestor at the aerarium in public during daylight” (ll. 23–24). This documentary evidence may give added significance to literary reports from the first half of the century: the censors of 169/8 resolving a dispute by agreeing to select an urban tribe for the freedmen to vote in by lot, publicly, in the Atrium Libertatis (Livy 45, 15, 5); a praetor of 176 being required either to go to his allotted province or to take an oath before a public meeting (*pro contione*) that his sacrificial obligations prevented him (41, 15, 6–9); or Sempronius Gracchus swearing “in public” that he had not regained the friendship and favour of Scipio Africanus (Aulus

Gellius 6, 19, 6). It was to the Forum also that the citizen could think of going to seek justice. We should remember the wronged father in Caecilius' play *Plocius* (175–76) saying: “we are going to the plebs”; “our defence is to be made in public” and “I shall go to the *forum* and I shall act in protection of poverty.” We should recall too the evocation in Plautus of the various types of men to be found, at law, at business, and at leisure, around the Comitium, the shrine of Cloacina, the basilica, the Forum Piscarium, the lower Forum, before the temple of Castor, along the Vicus Tuscus (*Curculio*, 470–82). The rapid construction in this period of the great basilicas which fronted on the Forum area—the Porcia of 184, the Aemilia of 179, and the Sempronia of 170—is itself an indication of the concentration of public and private activity here. The Forum was a public stage where an audience was permanently to hand.

We may still not want to characterize this as democracy. Nor did Polybius. On the contrary, when he needs to give a one-word characterization of the Roman political system (23, 14, 1), he calls it “aristocratic”.⁸⁰ “Publius (Scipio), who sought honour in an aristocratic *politeuma*, won goodwill among the masses and trust among the Senate.” This very passage thus clearly illustrates why he found it necessary to emphasize also the democratic and popular element in the working of the state. It was the Roman people which gave public honours,⁸¹ and issued criminal condemnations; they voted on laws, on colonies, on admission to the citizenship, on war and peace. In the light of recent work it is time to abandon the once established presuppositions of a hereditary “nobility,” of aristocratic factions, and of an all-embracing network of dependence and clientship. We might then be able to see the public life of the classical Republic in a rather different light: as an arena in which those who sought and held office competed before the crowd by advertisement of their glorious descent if they could; by the exercise of rhetoric in defence of citizens; by reports and demonstrations of military victory. They also fought out their most bitter rivalries before juries constituted by the citizen assemblies. Their ability to legislate depended on the tribal assembly; and the necessary persuasion was applied, often in open conflict and debate, by the means of speeches, which were made not only, or even primarily, in the “sacred Senate,” but in the open space of the Forum, before the ever-available crowd consisting of whoever was already there, or whoever turned up. It was this crowd which, however imperfectly, symbolized and represented the sovereignty of the Roman people.

NOTES

*First published in *JRS* 74 (1984): 1–19. A version of this chapter was given as a lecture on 9 December 1983, in London, as part of the obligations of the holder of the Balsdon Senior Fellowship at the British School in Rome. I hope that it may serve as an expression of thanks for that opportunity, which I enjoyed in Spring 1983, and may also bear witness to what I then learned, or tried to learn, of the public spaces of republican Rome. Successive subsequent versions were given as lectures at Berkeley, Stanford, Santa Barbara, and Princeton, and in particular as the Gerald F. Else Lecture in the Humanities, which I had the honour to give at Ann Arbor, Michigan, on 28 March 1984. I am indebted for points and criticisms to Professors P. A. Brunt, Erich Gruen, and Alan Astin, as also to Mary Beard. More fundamentally, whatever I have come to understand about the Roman Republic was learned from John North and Tim Cornell during the eight years at University College London; this remains so, even though both (like the persons named above) might disagree with much that is said here. Finally, this article is a tribute to Frank Walbank, to whom we all owe everything when it comes to Polybius.

1. For this point (and much else), see A. N. Sherwin-White, *Roman Foreign Policy in the East, 168 B.C.-A.D. 1* (1984), esp. 8 and 11–12.

2. F. W. Walbank, *Polybius* (1972), 155.

3. M. Gelzer, *Die Nobilität der römischen Republik* (1912), 106 = *The Roman Nobility*, trans. R. Seager (1969), 127.

4. E. Rawson, “Caesar’s Heritage: Hellenistic Kings and Their Roman Equals,” *JRS* 65 (1975): 148.

5. For a contemporary reflection of this, see Ennius, *Ann.* 329 Vahlen/325 Warmington: “Greece was assigned to Sulpicius by the lot, and Gallia to Cotta” (200 B.C.).

6. E.g., Pol. 21, 17, 9; 24, 2–3; 30, 16; 32, 1; cf. Livy 32, 23, 2.

7. *ILS* 15; Degraffi, *ILLRP*² 514.

8. R. K. Sherck, *Roman Documents from the Greek East* (1969), no. 1.

9. Aulus Gellius, *NA* 6, 3 = *ORF*³, Cato XLII; cf. Livy 45, 25, 2. See G. Calboli, *Marci Porci Catonis Oratio pro Rhodiensibus* (1978).

10. See, e.g., Livy 45, 20, 10 (cf. n. 60), and, far more important, *Syll.*³ 656, on ambassadors from Teos acting on behalf of Abdera, on which see L. Robert, *BCH* 59 (1935): 507–13, and *REA* 62 (1960):

327, n. 2, and P. Herrmann, *ZPE* 7 (1971): 72.

11. E.g., Livy 36, 21, 7–8; 37, 52, 2; 45, 2, 2–6.

12. Val. Max. 5, 10, 2 = *ORF*³, 1 (p. 101).

13. See J. S. Richardson, “The Triumph, the Praetors and the Senate in the Early Second Century B.C.,” *JRS* 65 (1975): 50.

14. Livy 45, 35, 4–39, 20. Cato’s speech: Aulus Gellius, *NA* 1, 23 = *ORF*³, Cato XLIII.

15. *ORF*³, Cato IV, F. 21–55*.

16. Cicero, *Brut.* 90 = Peter, *HRR, Origines*, F. 106 = *ORF*³, Cato LI; cf. Appian, *Iber.* 60/255, stating that he used his wealth to escape condemnation.

17. Pol. 12, 5, 1–3. For the assumption mentioned, see Walbank’s commentary.

18. *ILS* 18; *FIRA*² I, 30.

19. See, e.g., A. H. McDonald, “Rome and the Italian Confederation (200–186 B.C.),” *JRS* 34 (1944): 11.

20. Sherk (n. 8), nos. 2, 5, and 7.

21. *ILS* 19; *FIRA*² 1, 33.

22. Livy 34, 42, 5–6; for this interpretation see Briscoe’s commentary.

23. Livy 37, 46, 9–47, 2; 39, 55, 4–9; 43, 17, 1.

24. Pol. 2, 21, 7–8; see *MRR* 1, 225. For a discussion of the view that this remark was inserted after 133 B.C., see Walbank’s commentary.

25. For the best exposition of various related themes, see P. A. Brunt, “The Army and the Land in the Roman Revolution,” *JRS* 52 (1962): 69.

26. For the notion of a *lex* as the expression of the collective power of the people, see, e.g., F. Serrao, *Classi, partiti e legge nella repubblica romana* (1974), 63ff.

27. Censorinus, *De die natali* 24, 3; *FIRA*² I, 3; P. F. Girard, F. Senn, and V. Giuffrè, *Les Lois des romains*⁷ (1977), no. 3 (p. 83). See now M. Crawford, ed., *Roman Statutes I–II* (London, 1996), no. 44.

28. Festus 288L; *FIRA*² I, 1; Girard et al. (n. 27), no. 1. See now Crawford (n. 27), no. 46.

29. Festus 468L; *FIRA*² I, 2; Girard et al. (n. 27), no. 2. See now Crawford (n. 27), no. 45.

30. It has long been disputed what groups are really referred to here. For a recent discussion, see M. Humbert, *Municipium et civitas sine suffragio* (1978), 351–52, suggesting *cives sine suffragio* (citizens without the vote) rather than sons of freedmen. In that case this issue would be closely related to that of 188.

31. Livy 40, 44, 1. See A. E. Astin, *The Lex Annalis before Sulla* (1958); G. Rögler, “Die Lex Villia Annalis,” *Klio* 40 (1962): 76; R. Develin, *Patterns in Office-Holding, 366–49 B.C.* (1979).

32. ORF³, Cato XL, F. 156–60. Cato’s advocacy of the law “loudly and vehemently” was clearly in public, addressed to the people.

33. ORF³, Cato XXXV; cf. H. H. Scullard, *Roman Politics, 220–150 B.C.*² (1973), 263–66.

34. M. Crawford, *The Roman Republic* (1978), 79.

35. Plut., *Flam.* 18–19; Livy 39, 42, 5–12, does not make it explicit that the speech was to the people.

36. For the conventional view, see, e.g., J. Suolahti, *The Junior Officers of the Roman Army in the Republican Period* (1955), 15: “For in the elections no real freedom of choice existed among the electorate, since their decisions were guided by numerous bondages and ties, from family relations and friendships to factors such as *clientela* and bribery.” Earlier critiques of this view are P. A. Brunt, *Social Conflicts in the Roman Republic* (1971); Crawford (n. 34), 35–37; K. Hopkins, *Death and Renewal* (1983), 36–37.

37. Cic., *Tusc. Disp.* 4, 2, 3; Peter, *HRR, Origines*, F. 118.

38. See G. Ville, *La gladiature en Occident des origines à la mort de Domitien* (1981), 42–43.

39. See F. Bourriot, *Recherches sur la nature du Genos* (1976); D. Roussel, *Tribu et cité* (1976). See S. C. Humphreys, “Fustel de Coulanges and the Greek ‘Genos,’” *Sociologia del Diritto* 3 (1982): 35.

40. P. A. Brunt, “*Nobilitas* and *Novitas*,” *JRS* 72 (1982): 1; Hopkins (n. 36), chap. 2: “Political Succession in the Late Republic, 249–50 B.C.” (with G. P. Burton).

41. Brunt (n. 40). The word *nobilitas* is attested, Plautus, *Captivi* 299, but in a related, non-specific sense.

42. See D. E. Hahn, “The Roman Nobility and the Three Major Priesthoods, 218–167 B.C.,” *TAPhA* 94 (1963): 73; G. B. Szemler, *The Priests of the Roman Republic* (1972).

43. Gelzer (n. 3), 7; C. Nicolet, “Le cens sénatorial sous la

République et sous Auguste,” *JRS* 66 (1976): 20.

44. Possibly the reference is to cases before the *Praefecti iure dicundo* (as Professor Brunt suggests to me). See P. A. Brunt, *Italian Manpower* (1971), 528–35, and Humbert (n. 30), 356–57.

45. For contested consular elections, see, e.g., Livy 35, 24, 4–5 (for 191); 37, 47, 6–7 (189); 39, 32, 5–13 (184); 41, 28, 4 (173, no names given).

46. Hopkins (n. 36), 46.

47. Contested elections for the censorship: 32, 7, 2 (199, no names given); 37, 57, 9–58, 2 (189); 39, 40, 1–41, 4 (184); 43, 14, 1(169).

48. W. V. Harris, “The Development of the Quaestorship 267–81 B.C.,” *CQ* 26 (1976): 92.

49. W. Rilinger, *Der Einfluss des Wahlleiters bei den römischen Konsulwahlen von 336 bis 50 v. Chr.* (1976).

50. For a useful discussion, see A. E. Astin, *Scipio Aemilianus* (1967), 28–29, and 337, note B.

51. See W. R. Connor, *The New Politicians of Fifth-Century Athens* (1971).

52. So, perhaps surprisingly, even M. I. Finley, *Politics in the Ancient World* (1983), 88.

53. C. Nicolet, *Rome et la conquête du monde méditerranéen 264–27 avant J.-C. I: les structures de l'Italie romaine* (1977), 373ff.

54. Hopkins (n. 36), 47.

55. Thus seven of non-curule rank in 204, Livy 29, 37, 1; three in 194, 34, 44, 4; four in 189, 38, 28, 2; three in 179 (no rank given), 40, 51, 1; nine in 174, 41, 27, 2 (see below, otherwise no rank given); seven in 169, no rank given, 43, 15, 6.

56. The inapplicability and unhelpfulness of this term was demonstrated very well by R. Seager, “*Factio*: Some Observations,” *JRS* 62 (1972): 53.

57. *Gnomon* 37 (1965): 189.

58. See, e.g., Astin (n. 50), 80ff., and esp. Chr. Meier, *Res Publica Amissa*² (1980).

59. On the meeting places of the republican Senate, see now M. Bonnefond, “Espace, temps et idéologie: le Sénat dans la cité romaine républicaine,” *Dial. di Arch.*, 3 ser., 1 (1983): 37.

60. See Sherk (n. 8), nos. 2, 4, 5, 7, and other examples from after

the mid-second century.

61. For documentary examples, see, e.g., *FIRA*² I, nos. 32–3; Sherck (n. 8), nos. 2, 4, 5; cf. 9 (c. 140 B.C.).

62. Cicero, *Brutus* 58; Ennius, *Ann.* 9, 303–8 Vahlen/300–5 Warmington.

63. For the fullest study of the forms of popular participation, see of course C. Nicolet, *Le métier du citoyen* (1976) = *The World of the Citizen in Republican Rome* (1980), esp. chap. 7, which however deals with the entire republican period and does not offer conclusions as to the nature of power within the system.

64. See W. Kunkel, *Untersuchungen zur Entwicklung des römischen Kriminalverfahrens in vorsullanischer Zeit* (1962); H. F. Jolowicz and B. Nicholas, *Historical Introduction to the Study of Roman Law*³ (1972), 305–17; A. H. M. Jones, *The Criminal Courts of the Roman Republic and Principate* (1972), chap. 1; A. W. Lintott, “Provocatio,” *ANRW* I. 2 (1972), 226; A. Giovannini, “Volkstribunat und Volksgericht,” *Chiron* 13 (1983): 545.

65. Plautus, *Captivi* 475–6; *Pseudolus* 1232–3; *Aulularia* 700; *Truculentus* 819.

66. The source of these presumptions is of course Gelzer (n. 3), see esp. pp. 49–56 (trans. Seager, pp. 62–69) and the conclusion, pp. 115–16 (p. 139). It is needless to cite a long series of examples of later adhesion to them. It may suffice to point to the presumptions still present in the work of J. Bleicken, *Staatliche Ordnung und Freiheit in der römischen Republik* (1972), 64–65; *Lex Publica* (1975), 244–45; *Die Verfassung der römischen Republik*² (1978), and, in the most sophisticated and interesting modern treatment of Roman politics, Chr. Meier, *Res Publica Amissa*² (1980), esp. 34ff.

67. So Finley (n. 52), 40–41.

68. N. Rouland, *Pouvoir politique et dépendance personnelle* (1979), 258–59.

69. For this point, see Brunt (n. 36), and, with specific reference to this period, Finley (n. 52), 98–99.

70. Cicero, *Laelius* 96; Varro, *De re rust.* 1, 2, 9. See L. R. Taylor, *Roman Voting Assemblies* (1966), 22–23.

71. [Sall.], *Ep. ad Caes.* 2, 8, 1. See C. Nicolet, “‘Confusio Suffragiorum’. À propos d’une réforme électorale de Gaius Gracchus,” *MEFR* 71 (1959): 145.

72. See, e.g., Serrao (n. 26), 176ff.; and L. Perelli, *Il movimento popolare nell'ultimo secolo della Repubblica* (1982).

73. Cf. E. Badian, *Roman Imperialism in the Late Republic*² (1968), chaps. 2–4.

74. Note on this aspect the pertinent remark by Finley (n. 52), 70, n. 3: “It surely does not require argumentation to reject the view . . . that popular participation is reduced to a charade by the fact that leadership was monopolised by the élite.”

75. See R. MacMullen, “How Many Romans Voted?,” *Athenaeum* 58 (1980): 454.

76. For some interesting observations on this aspect, see W. G. Runciman, “Capitalism without Classes: The Case of Classical Rome,” *Brit. Journ. Sociol.* 34 (1983): 157.

77. See, e.g., A. Guarino, *La democrazia a Roma* (1979).

78. A. N. Sherwin-White, “The Lex Repetundarum and the Political Ideas of Gaius Gracchus,” *JRS* 72 (1982), 18, on pp. 21–23.

79. *FIRA*² I, no. 6; Girard et al. (n. 27), no. 6. See now Crawford (n. 27), no. 7.

80. For this point and a good analysis of Polybius’ conception of the political character of the Roman system, as expressed both in book 6 and elsewhere, see now C. Nicolet, “Polybe et la ‘constitution’ de Rome: aristocratie et démocratie,” in C. Nicolet, ed., *Demokratia et Aristokratia. À propos de Caius Gracchus: mots grecs et réalités romaines* (1983), 15.

81. Note the public demonstration over the consular elections of 149 B.C.: “and they [the people] were exclaiming that by the laws handed down from Tullius and Romulus the people were the judges of the elections” (Appian, *Pun.* 112).

CHAPTER FIVE

Politics, Persuasion, and the People before the Social War (150–90B.C.)



The purpose of this chapter is to present a particular model of how Roman politics worked, and of what Roman politics before the Social War was “about.” In essence I want to place in the centre of our conception the picture of an orator addressing a crowd in the Forum; a picture of someone using the arts of rhetoric to persuade an anonymous crowd about something.¹ The most important subject of oratory—and the most important fundamental right exercised by whoever came to vote—was legislation. Yet the greatest of all the extraordinary distortions which have been imposed on our conception of republican politics in the twentieth century is that the process of legislation and the content of the legislation passed by the people have both ceased to be central to it. With that we have ceased to listen sufficiently to the actual content of oratory addressed to the people, to the arguments from rights, from the necessities of the preservation of the *res publica*, from historical precedents, both Roman and non-Roman, and from social attitudes and prejudices. In the second century above all, we can see how the prestige which the office-holding class derived from family descent and personal standing on the one hand was matched on the other by popular demands for appropriate conduct, and by popular suspicions of private luxury, of profiteering from the conduct of public affairs, and of improper collaboration with wrongdoers both at home and abroad.

Those who spoke to the people in the Forum, from one or other of the two main stages used for the purpose—the Rostra and the podium of the temple of Castor and Pollux—could use these popular prejudices and suspicions against each other, just as they could play on the crowd’s knowledge of the individuals concerned. For a public meeting (*contio*) was indeed a stage performance; this idea is expressed by Cicero in words which he puts into the mouth of Laelius in *De amicitia* 97: “on stage, that is at a *contio*.” The Forum itself was a stage on which there steadily encroached monuments representing individuals, or recalling their achievements, or associated with their names. Before the middle of the second century the Forum area was

already lined with statues of individuals, and in 158 the Senate decreed the removal of those which had not been voted by Senate and People (Pliny, *NH* 34, 30, from the *Annales* of L. Piso). In 117 L. Caecilius Metellus restored the temple of Castor and Pollux. Seven decades later, defending Metellus' grandson, Scaurus, in a case in the Forum, Cicero could remind the jurors: "his grandfather appears to have established the most holy gods in that temple, in your sight, so that they can plead for the safety of his grandson" (*Pro Scauro* 24). After Marius' victory over the Cimbri, Cimbrian shields hung as trophies on the Tabernae Novae in front of the Basilica Aemilia. Iulius Strabo could put them to demonstrative use, saying to Helvius Mancianus in an altercation before a crowd "I will show what you are like," and pointing to the grotesque head of a Gaul painted on one of the shields (*De or.* 2, 266). Before that, the first arch ever to appear in the Forum, the Fornix Fabianus, had been erected by Q. Fabius Maximus Allobrogicus, to commemorate his triumph in 121. It gave Licinius Crassus the opportunity to say in a public meeting, about the tribune Memmius, "Memmius thinks himself so big that on his way down to the Forum he bends his head as he goes under the Fornix Fabianus" (*De or.* 2, 267).

As we will see, orators of the office-holding class played on the prejudices and suspicions of the crowd to deploy much more significant and loaded mutual criticisms than that, both when speaking about legislation, before the popular courts constituted by the tribal assembly (*comitia tributa*), and before the new jury courts. These too of course met in the Forum, before a crowd of spectators. The jurors both *represented* the people at large and functioned under its gaze. The mode of oratory, the forms of persuasion, and the bases of argument and justification used here might not always be very different from those before a public meeting or before the assembly functioning as a court.

Yet it is precisely here that we can see the remarkable distortion imposed on our conceptions of republican public life by the most influential of all twentieth-century approaches to it; I mean of course Gelzer's *Die römische Nobilität*, published in 1912—"the key that unlocked the door from the 19th to the 20th century in historical research on the Roman Republic," as Badian described it.² The attempt which Gelzer made, to look behind the constitutional façade to the social reality, was in itself wholly justified. And no one will ever have read this slim volume for the first time—or indeed many more

times—without a constant sense of illumination. Yet it is clear that it has actually been too successful. On some points, such as the definition of *nobilitas*, it is misleading, as Brunt has shown.³ On others, such as the importance of relations of personal obligation and dependence in Roman politics, its conclusions go far beyond the evidence which it itself cites: “The entire Roman people, both the ruling circle and the mass of voters whom they ruled, was, as a society, permeated by multifarious relationships based on *fides* and on personal connections, the principle forms of which were *patrocinium* in the courts and over communities, together with political friendship and financial obligations. *These relationships determined the distribution of political power.*”⁴

This conclusion, to repeat, goes far beyond what the body of the book contains, namely illuminating observations on various social dimensions of the exercise of power. It is an explicit claim that these social dimensions constitute an adequate global explanation of the political process. More insidious still, however, is the implicit—and never openly acknowledged—direction of attention and selection of material which shapes the work as a whole. For instance, the only context in which Gelzer gives any attention to oratory is that of cases heard in the courts. There is not even the barest allusion to oratory deployed for or against the passing of laws—that “popular kind of oratory,” which, as Cicero says, enabled Sp. Thorius to get through a law relating to the public land (*ager publicus*) (*Brutus* 136), or that personal presence (*auctoritas*) and oratorical power which enabled Marcus Octavius to have C. Gracchus’ corn law (*Lex Sempronia frumentaria*) abrogated by the votes of a plenary meeting of the people (*Brutus* 222), to be replaced by something more moderate.

This emphasis on forensic oratory and its political function both implicitly ignores one major focus of the political process, legislation, and explicitly attributes a primary significance to trials: “political struggles were for the most part conducted in the courts.”⁵ Moreover, the major trials, which of course were indeed “political,” are interpreted solely, by careful selection and emphasis, in terms of the established conventions of personal obligation and connection among the upper classes. These conventions were naturally of some significance. As Gelzer duly notes (trans. Seager, pp. 76–77), when M. Antonius, in the mid-90s, defended Norbanus on a charge of high treason (*maiestas*), he openly stated his obligation to do this for his former quaestor. But you would not guess, from reading Gelzer, that

he had said much else, of a wholly different sort. Yet we have the clearest possible evidence that he did. In *De oratore* 2, 198–99, Antonius is made to recall what his speech contained:

I gathered together all types of civil discords, with their associated wrongs and dangers, and made the speech a survey of all the successive phases of our *res publica*, and concluded by saying that even though all civil discords had always been an affliction, some none the less had been just and even necessary. . . . Without dissension among the *nobiles*, the kings could not have been driven from this state, nor tribunes of the plebs created, nor the consular power [*potestas*] have so often been limited by *plebiscita* [laws passed by the plebeian assembly—the *concilium plebis*], nor the right of appeal [*provocatio*] granted to the Roman people, guardian of the state and the defence of its freedom.

The argument from historical precedent was fundamental to the nature of the public political process. But there was also another aspect to the issue at stake in this case, an argument which was more specific in its terms and of more immediate contemporary relevance than that. The entire case (*tota illa causa*) depended on the definition of “damage to the majesty of the state” (*maiestas minuta*), as laid down—for the first time ever—in the Lex Appuleia passed by Saturninus, probably in his second tribunate in 100.⁶ What then were the terms in which *maiestas* was defined in Saturninus’ law, the earliest to give formal legal expression to this concept? Cicero supplies the definition in the *De inventione* 2, 53:

To detract in any way from the dignity (*dignitas*) or the greatness (*amplitudo*) or the power (*potestas*) of the people, or of those to whom the people has given power.

It might be worth considering in what light we would understand these words if we were told that they derived from the political life of a Greek city. Indeed it might help us to escape from the shackles of what we *think* we know about the Roman Republic if we were to read all the information which we are given about Rome between 150 and 90 B.C. as if it related to a Greek city. Nor would this be wholly inappropriate. Polybius, who should have known, did suppose that the categories of political analysis relevant to Greek cities could be applied to Rome. Moreover, there had never been a time, from the eighth century onwards, when Rome had not been within the orbit of the Greek world, and profoundly affected by Greek influences.⁷ And, specifically from this period, there is perfectly clear evidence that

precedents from Greek history were regularly deployed in political reasoning in Rome.

Even without these innumerable real interconnections and influences, it would be a useful logical device for us to relocate the available evidence in a context to which we would apply different presuppositions. Nothing could then be easier than to read the wording of Saturninus' law in terms comparable to those which expressed the sovereignty of the Athenian people, and the status of elected officials or commanders as the delegates of the people. If we then returned to the year 101/0 in Rome and to the extensive law on the eastern provinces, known in texts from Delphi and Cnidus, we would of course find exactly that presupposition, together with an assertion that the revenues of a newly gained part of the empire shall be gathered as the people instructs.⁸

Another parallel suggests itself with the case of classical Athens. A. H. M. Jones demonstrated some decades ago how the ideology of democracy in Athens has to be reconstructed from the attitudes taken up, and criticisms expressed, by writers who were largely, or wholly, unsympathetic to it. The same is largely true of that period of acute crisis in the Roman state which stretches from the middle of the second century to the Social War. We cannot help the plain fact that a high proportion of our evidence derives from the writings of Cicero. But we should read his judgements as reactions to a political system and not as descriptions of it, still less as expressions of the values which actually prevailed in it. Cicero's conception of the Roman state—or rather his aspirations and hopes for a Roman state dominated by the example set by “the respectable and the best” (*boni* and *optimates*), and controlled politically by the Senate—has had far more success with posterity than it ever had in his lifetime, except for a single decade, or before it. Cicero was of course not alone in his view that it was the essential function of the Senate to guide political decision making; the same view is for instance reflected, in the 80s, in *Ad Her.*, 4, 35/47. But it is a mistake to elevate this aspiration into a description of an actual state of affairs. As a result, modern writing on the political history of the Republic is haunted still by the utterly misleading, unconscious presupposition that the Senate was a sort of parliament, which exercised the powers of government. So the question now becomes, How, within the walls of the Senate, within the circle of this governing body, did you gain power? The answer then becomes, By having an extensive set of connections, which of

course it is naive to call a “party” and which we now know that we cannot call a faction (*factio*) either. No other name will do instead, however, because, if we want to locate the exercise of power, this is the wrong question; we are looking in the wrong direction. Firstly, within the governing class, the thing which above all distinguished the exercise of power was its individualistic character.⁹ This aspect might of course have been confined to the pursuit of office, and military glory. But it was precisely the second half of the second century which saw the break-up of the relative (but by no means complete) consensus which had obtained among the governing class before, and which consequently led to the presentation to the people of political and constitutional propositions of strongly diverging ideological content. It is commonplace to stress the limitations on the people’s power: they could only accept or reject laws put to them by an office-holder. This, though true, ignores, firstly, the conflicting opinions expressed in public meetings held before a law was put to the vote; secondly, the fact that to achieve office a man had previously to have been elected; and, thirdly, that effective legislative power still resided with those who, for whatever reason and in whatever numbers, came to the Forum to vote.

Gelzer’s assertion—and it was no more than that—that the patterns of personal obligation, which he was able to illustrate so vividly, actually *determined* the political behaviour of the whole mass of voters, did of course have one very convenient corollary. It offered a blanket explanation of voter behaviour; or rather it dispensed us from troubling with the problem of explaining voter behaviour at all, of explaining who came to vote and what sorts of reason they might have had for voting the way they did.¹⁰ Furthermore, by silently omitting legislation altogether from his portrayal of the political process, he inevitably obscured the crucial distinction between electoral voting and legislative voting. The process of election to office may well often have had little or no ideological content. Even so, anyone who had already held public office will have had the opportunity, if he wished, to establish a public identity, and political posture, which would be relevant when it came to his next office: “So, Citizens (*Quirites*), when *I* set out from Rome I took with me belts full of silver which I brought back empty from my province; as for others, the *amphorae* full of wine which they took out with them *they* brought back filled with silver” (*ORF*³, p. 112). This of course is Gaius Gracchus, speaking about his quaestorship in Sardinia in 126–24; in the context of repeated public debates and altercations over personal

conduct by office-holders, it is a highly political statement. He was, after all, soon to propose to the people legislation taking the extortion court out of the hands of senators.

It is, however, primarily a statement about himself, addressed to a crowd of citizens. The unconscious fiction of the collective parliamentary rule of the Senate has obscured the centrality of this much more important relationship, that is, of the one to the many, of the individual orator and/or office-holder and the crowd.¹¹

In the longer term it is only if we brush aside the fiction of senatorial government that the Roman revolution becomes intelligible. It was by popular laws, against the will of most senators on most occasions, that power was given successively to individuals like Pompey and Caesar. Once we allow ourselves to think of republican Rome as a system having significant democratic features, as Polybius saw, we might then attach rather more importance to a passage in which Polybius discusses how a democracy breaks down.¹² Trouble arises through the inordinate ambition of politicians:

Setting out to seek power, and unable to gain their objectives by their own resources and through their own qualities, they dissipate their property, using every means to bribe and corrupt the masses. Then again, when they have rendered the many receptive and greedy for largesse through their insane appetite for prestige, the essential character of democracy is destroyed, and it evolves into a state of violence and government by force. The populace, once it is accustomed to feed off the property of others, and expects to live off the property of their neighbours, and when it finds a champion who is ambitious and daring, but is excluded by poverty from political rewards, brings the rule of force to completion, and gathering together, carries out murders, exiles, and redistributions of land—until, having come to live in the manner of beasts, it finds once again a master and monarch.

To explain all that, we would indeed have to have some access to voter behaviour, which of course we do not. All we can recapture is, firstly, something of the forms of self-representation and of persuasion which were addressed to the voters; and, secondly, something—in certain cases rather a lot—of the actual content and wording of the laws which the people passed.

As regards self-representation, senators can be found repeatedly contrasting themselves with others, named and unnamed, just as Gaius Gracchus did after his quaestorship. They never, to my knowledge,

proclaim their own attachment to any group; if they underline their associations with anyone, it is with members of their own families, both past and future. Association with past members of the family was precisely the function of the public funeral oration, delivered from the Rostra; Q. Lutatius Catulus, consul of 102, was the first to deliver one for a woman, his mother Popilia (*De or.* 2, 44), thus setting a precedent for Caesar. Nothing could more clearly have underlined the public significance of the prominent family. The next generation too could be publicly presented; in his hour of danger, as Sempronius Asellio recorded, Tiberius Gracchus produced his male children in public and commended them to the care of the people (Aulus Gellius, *NA* 2, 13). By comparison, C. Papirius Carbo Arvina, tribune in 90, was to recall in a public meeting the contrast between Livius Drusus, the deceased tribune of the previous year, and his father, Livius Drusus, consul in 122. The young Cicero heard him speak (*Orator* 213):

O Marcus Drusus—I call on the father—you used to say that the *res publica* was sacred, and that all those who had violated it had paid the penalty. The wisdom of the father's saying was proved by the rash conduct of the son.

Both father and son had, of course, held office at moments when major issues of principle were at stake—about the exercise of power in the state, the use of public property for the individual benefit of the citizens, and the extension of the citizenship itself. That, finally, is one particular reason for concentrating here on the six decades before the Social War. Moreover, as is obvious, the Social War itself was a major turning point, which introduced a new era in Roman politics. But how significant the war was is brought out only if we realise that the Romans lost. And we will only see that in perspective if we look at the legislation, and proposed legislation, of the previous half century. A whole range of fundamental issues was put to the Roman people, and voted on by them. Among these questions there repeatedly came forward ones which affected the constitutional rights of Latins and Italian allies. Those proposed laws which would have extended such rights without exception failed to pass, or were never even put to the vote; those which restricted them did pass. The only, partial, exception to the rule was the law of Saturninus in 100 which granted land in Gaul—probably Cisalpina—to former soldiers of Marius, including Italians, some of whom were to gain citizenship in the new colonies. It was passed only in the face of mob violence in the Forum;

and some at least of the colonies envisaged were never sent.

This issue—of the extension, or rather non-extension, of citizen rights—was only one of a whole series of issues on which the Roman people were called upon to vote between 150 and 90 B.C. These issues were not all controversial, and the passing of a law might on occasion be a mere formality. But they did include the setting-up of permanent courts (*quaestiones*), for the prosecution of extortion (*repetundae*) and high treason (*maiestas*) at least, and the qualifications and duties of the jurors; the procedures in voting—that is, above all, the series of laws on the use of the ballot passed in the 130s and 104; the establishment of the basic constitutional principle that only the people could set up a court with capital jurisdiction; the transfer to the people of the election of members of the priestly colleges, proposed in 145, passed in 104; the use of the public land in Italy, and in Africa; the use to be made of the legacy of Attalus of Pergamon; and the conduct of wars—in at least three forms: the direct appointment of commanders to wars, overriding the normal distribution of provinces by lot; the use of tribunician legislation passed by the people to give direct instructions to holders of *imperium*, as in the law of 101/0 on the eastern provinces; and the passing of laws to establish special ad hoc courts to examine misconduct in diplomatic and military affairs.

Many of the known sumptuary measures too were also laws, though decrees of the Senate (*senatus consulta*) could perform a similar function, as in 161 B.C. (Aulus Gellius, *NA* 2, 24, 2). Those which were laws were voted by the people, and involved persuasion and discussion before the people, as earlier in Cato's speech to the people about the growth of private luxury (Polybius 31, 25, 5). One important aspect of all this was precisely the arousal, by oratory, of popular resentment and suspicion about the life-styles of the rich. A notable example was the public altercation between the censors of 92, revolving specifically round the luxurious character of Crassus' house (*ORF*³, pp. 248ff.). But the restrictions in the laws which the people passed might later come to seem too burdensome on the voters themselves. As the tribune Dronius said to the People from the Rostra in 97, when proposing the abrogation of a sumptuary law, "Reins have been placed on you, Citizens, which are not to be tolerated" (Val. Max. 2, 9, 5).

This list does not exhaust all the categories of legislative activity in this period. It has also to be seen in immediate conjunction with those trials before the people which involved questions of the constitution,

or of the safety of the state. Three examples of these will suffice: firstly, the prosecution of Opimius, consul of 121, by the tribune Decius in 120. The trial was brought before the people, and the issue was whether the passing of the novel decree of the Senate enjoining action for the safety of the state constituted a legal justification for the murder of Gaius Gracchus and the imprisonment of citizens (Livy, *Epit.* 61). As is well known, Opimius was acquitted. So too were the two ex-consuls against whom Cn. Domitius Ahenobarbus, as tribune in 104, brought actions for the imposition of a fine (*multa*), before the thirty-five tribes. Both concerned the safety of the state. M. Iunius Silanus, consul of 109, was tried for his defeat by the Cimbri in that year: the charge was that he had acted without being authorized to do so by the people (*iniussu populi*), and that his defeat had been the beginning of the disasters which the people had since suffered (Asconius 80C). Aemilius Scaurus, probably then a *pontifex*, was accused on the grounds that the public rites of the Roman people had been damaged by his fault; to be precise, the rites of the *Dei Penates* at Lavinium had been improperly conducted. He too was acquitted, but more narrowly: only three of the thirty-five tribes voted for condemnation, but in the remaining thirty-two a majority for acquittal was achieved by only a few votes (Asconius 21C).

It was in this same year that Domitius Ahenobarbus carried his law that the priestly colleges should be filled by popular election, a measure already proposed unsuccessfully in 145, when Laelius, speaking against the law, had discoursed to the people, going into the details of religious observance “which Numa left to us” (*Nat. Deor.* 3, 43). Domitius’ law, when finally passed, obliged anyone nominating a new augur for election, in the place of (to replace) one who has died, to do so at a public meeting.

The principle of the accountability of office-holders, and the popular suspicion of impropriety and profiteering, themes which run through all the politics of this period, had their place in the regulation of religious observances also. Thus when L. Caecilius Metellus as pontifex maximus, along with the College of Pontifices, tried three Vestal Virgins for breaking their vows, acquitting two, a tribune of 113, Sextus Peducaeus, accused them of corrupt judgement (*male iudicasse*), and the people voted to appoint L. Cassius to enquire into the issue. Here as elsewhere, no one need suppose that Roman politicians were devoid of personal motives. On the contrary, these motives could even be openly paraded before the people. We may

recall Gaius Gracchus at a public meeting telling the attendant to go and summon Piso to appear, that is before the people. "Which Piso?" enquired the attendant. "You force me to say, my enemy, Frugi" (Cicero, *Font.* 39). But, "enmities" or not, it is essential not to forget, firstly, that the proposal of laws and opposition to them, the setting-up of ad hoc or permanent courts, and the conduct of trials before the people might all involve basic issues of the nature of the state, or sovereignty within it, or the disposition of its resources and of the management of its affairs. And, secondly, that all these issues were presented before the people at large through the medium of speeches. It was, after all, the people who voted.

It was also the same Calpurnius Piso Frugi himself who made a point of appearing in person to collect the fixed-price corn made available to the people by the *Lex Frumentaria* of Gaius Gracchus, which he had opposed: "I would prefer, Gracchus, that it were not your pleasure to distribute my property to individuals [*viritim*]; but if you do it, I will seek my share" (Cicero, *Tusc.* 3, 48).¹³ That again was a public expression, before the crowd, of a political judgement about the resources of the state. There was also another dimension to this question, the fear of domination (*dominatio*). Just as accusations of aspiring to tyranny or kingship had been brought against Tiberius Gracchus, so it may have been Gaius Fannius, the consul of 122, who argued, against Gaius Gracchus, that by "largess" (*largitio*) Peisistratus, Phalaris, and Dionysius of Syracuse had corrupted the citizens and sought domination. Thus these and other precedents from Greek history have considerable significance.¹⁴ Even after Gracchus' death it was possible for a tribune, by use of oratorical persuasion, to cause a crowded popular assembly to abrogate his law for corn distribution, and replace it with something less radical.

The questions of the public funds, of public property and its possible distribution, of the right form of management of public revenues, all therefore involved issues of principle; but they also exhibited fluctuations and inconsistencies in popular attitudes—or, at any rate, in the way that those people would vote who turned up on any one occasion. The subject matter of politics also kept within certain bounds. Almost every aspect of the state itself was subject to legislative votes in this period, and in particular it lay in the nature of laws (*leges*) that they set down rules for the holders of office. Laws might also, but less characteristically, define criminal offences with which ordinary people might then be charged. Hence, of course, the

famous distinction made in the advice of Servilius Glaucia to the people on how to listen when laws were read out. If the laws began "Dictator, consul, praetor, magister equitum . . .," they need not be concerned. But if they heard the words "Whoever the passage of this law . . .," they should take note, in case they would be subject to a new court (Cicero, *Rab. Post.* 14). What the operations of politics did *not* yet touch was private property. The only hint of a threat to that which we hear of in this period came in a speech, or speeches, of L. Marcius Philippus as tribune in perhaps 104. He said a great deal in demagogic style including the claim that there were not 2,000 men in the community who had any property. The speech at least implied the possibility of equal distribution of property; but his land law, of unknown content, was rejected (Cicero, *De off.* 2, 73).

None the less, the scope of the subject matter of politics was enormously extended in this period; and the issues at stake embodied basic questions about the rights of citizens, the location of sovereignty in the state, the control of foreign relations and military affairs, and the access of individual citizens to a share in the resources which the state had at its disposal. The best proof that what we see happening in this period represents "real" politics, embodying serious challenges to the established order, is precisely the irruptions of violence which ended the lives of Tiberius and Gaius Gracchus and of Saturninus; this last event was, of course, to be celebrated in evocative detail by Cicero in the *Pro Rabirio*.¹⁵

We can hardly help seeing all this through the eyes of Cicero, whose youth was spent under the guidance of the major conservative figures of just this period.¹⁶ But there do remain two other avenues of access to the ideas which were embodied in popular legislation in this period, or which were expressed in speeches addressed to the people. The first and most important access is provided by the inscribed laws from this time. It cannot be stressed too often that these represent the only direct testimonies to the political mentality, conceptions, and vocabulary of the period. As for the great inscription of the extortion law, which we may take to be that of Gracchus, many aspects of its true significance were brought out, for the first time, by Sherwin-White.¹⁷ He rightly stressed the emphasis which is placed in this law on publicity, that is the necessity of the observance, under the eyes of the people, of the rules on the part of both the praetor and the jurors themselves. That must give a possible clue to the real point of another law of Gracchus, that about the censorial farming out (*censoria locatio*)

of the revenues of Asia. It should be seen not just as a political scheme to benefit the *equites* or tax collectors, but as aimed, firstly, at securing the revenues due to the people; and, secondly, at ensuring the allocation of the contracts by the censors, in Rome, before the people. Cicero himself emphasizes this point in arguing, before the people, against the Rullan agrarian bill of 63 (*De leg. ag.* 2, 55, Loeb trans.): “it is not permitted to farm out the revenues anywhere except in this city, from this place [i.e., the Rostra], before you all in full assembly.” The inscribed Latin law of Bantia, whatever its precise date or purpose, embodies a similar concern: not only must office-holders and senators swear within five days to obey the law, but they must do so in public, during daylight, at specified locations bordering on the Forum—either in front of Castor’s temple or *ad aerarium*, that is, before the temple of Saturn.¹⁸ Moreover, just enough is left of the inscribed decree of the Senate of a treaty with Astypalaea in 105 to reveal (perhaps) the traces of a highly populist law, or laws, of the Gracchan period. The relevant clause may have read as follows, and may refer to Rome rather than Astypalaea: “that according to the Rubrian and Acilian law [or laws] a copy [of this alliance] should be set up in a public and conspicuous place, exposed where the majority of citizens walk by, and that each year it should be read aloud [? in the assembly].”¹⁹

But the major new item which must affect our view of the nature of the state in this period is the law of 101/0 on the eastern provinces (see n. 8); firstly, it is a popular law; secondly, it too obliges office-holders (other than the tribunes) to take an oath; thirdly, it gives detailed instructions to both consuls and governors. Most significant of all, perhaps, are the provisions laid down as to what steps the governor of Macedonia should take with regard to a newly conquered area in eastern Thrace; he is to proceed there, to see to the collection of the public revenues (i.e., those of the Roman state), and in future to spend there a period of not less than sixty days.

The notion that the funds of the Roman state were a perquisite of the Roman people, and should be at its disposition had been expressed most clearly of all in Gaius Gracchus’ speech to the people about a law apparently intended to re-adjust royal territories in Asia Minor, at some point in the 120s. Almost all the themes and forms of persuasion which I have been trying to emphasize are embodied in the quotation by Aulus Gellius of part of this speech (*NA* 11, 10). Gracchus is speaking to the people:

As for you, Citizens, if you wish to display wisdom and virtue, you

will, even if you search, find none of us coming forward here without reward. All of us who make speeches are seeking something, and no one comes forward before you for any reason except to gain something. I myself, who am speaking before you in order that you may increase your revenues, and that you may more readily control your assets and the *res publica*, am not coming forward for nothing; but I seek from you not money but your good opinion and honour. Those who come forward to dissuade you from accepting this law do not seek honour from you, but money from Nicomedes; those who persuade you to accept it do not seek good opinion from you, but profit and reward for their pockets from Mithridates. But those from the same station and order [*ordo*] who maintain silence, these are the sharpest of all, for they take profit from all, and deceive all. You who believe that they are innocent of such things, accord them good opinion; but the embassies from the kings, since they believe them to be maintaining silence in their interests, offer them lavish gifts of money.

He concludes with a story from fourth-century Greek history, of how the orator Demades boasted that he had received ten talents from the king (Philip) for holding his peace.

Once again some knowledge of Greek history is assumed and is used to hold a mirror to current events. But the important point is the right of the people to the profits of empire, and the suspicion that senators are lining their private pockets by not pressing the public interests of Rome as against those of allied kings. This speech of Gaius Gracchus is the essential background to much of the tribunician agitation which fills Sallust's account of the Jugurthine War. Not many people in the streets of Rome would have swallowed the view that senatorial inaction after Jugurtha's seizure of power should be put down to "natural unwillingness to think ill of an old friend."²⁰ The quotation from Gaius Gracchus shows that we do not need to disregard as a historical fiction the speech which Sallust gives to Memmius, tribune of 111 (*Jug.* 31). The counter-reaction to Gaius Gracchus, Memmius says, had labelled as "an attempt at kingship" what was in fact an attempt "to restore its own to the *plebs*." In subsequent years the people (he says) have watched in silent indignation the pillaging of the state treasury (*aerarium*), and kings and free peoples paying revenues to a few *nobiles*. Sallust also represents Memmius as referring to the early secessions of the *plebs*. There is no reason whatever to think that the making of such a

reference must be an unhistorical elaboration by Sallust himself. We know, for instance, that M. Antonius, in the 90s, retailed civil discords by which the liberties of the people had been secured (see text to n. 5); and Cicero notes the existence of a popular (*popularis*) tradition of the history of Rome (e.g., *Acad.* 2, 13). If we were to doubt the public relevance of earlier history in this period we have only to look at the irrefutable contemporary, and documentary, evidence of the coins, on which an emphatic break is marked by the appearance of historical themes and political symbols from 137 onwards; perhaps most notably “I appeal” (PROVOCO) on coins of 110–109.²¹ Moreover, as Peter Wiseman has argued, it was in this period that there came to be a great deal more of Roman history in written form than there had ever been before.²² Whether this was “true history” or “false history” does not matter in this context. What matters is the way that beliefs about history could be put to current use. Appian could well be right in reporting that in 148 the people shouted that by the “laws of Tullius and Romulus” the people were sovereign in the elections and could validate or invalidate the laws (*Lib.* 112/531).

The elements of a popular, even a democratic, tradition and ideology in a Roman context could easily be put together even from the evidence we have.²³ But, significant though this is, it is not the intention of this chapter to attempt to restore the Roman people to their proper place in the history of democratic values. On the contrary, its purpose is to present a neutral, or purely functional, model of how politics worked: that of the individual orator using persuasion, and addressing his words to the crowd which has the right of voting and decision. This in the end was to lead to just the conclusion which Polybius had implicitly predicted.

But we also see another side, in relation to the half century before the Social War, if we remember that all the measures, taken or proposed, in relation to the Latins and Italians were laws, put to the people, argued for and against by the medium of oratory, and voted or rejected by the people. We should not think of these laws simply as actions “of” the person who proposed them: the alien law “of” Pennus in 126; the law “of” Licinius Crassus and Mucius Scaevola as consuls of 95. As noted already, many laws extending the rights of Latins and Italian allies were proposed, or at least mooted, in this period. Not one was passed. Those which were passed were those which *restricted* those rights. Tiberius Gracchus perhaps intended to offer citizenship to the Italians; in any case such a law was certainly not voted; nor (in my

view at least) did Italians share in his allotments of Roman public land.²⁴ More certainly, Iunius Pennus, as tribune in 126, did get a law passed prohibiting foreigners (*peregrini*) from the city. Gaius Gracchus seems, once again, to have used historical examples to argue against it: "Those nations destroyed their *res publica*, among other things, by avarice and stupidity."²⁵ In 125 Fulvius Flaccus made a proposal for extension of the citizenship, which seems never to have come to a vote.²⁶ Gaius Gracchus did propose a law, which, as it seems, gave Latin voting rights to the Italians and full citizenship to the Latins. This too, if ever put to the vote, was not passed.²⁷ But we know from Cicero (*Brut.* 99) of a speech of Gaius Fannius, consul of 122, *De sociis et nomine Latino contra Gracchum*. It is evidently from this that there comes one highly illuminating fragment, addressed to the people: "If you were to give the citizenship to the Latins, do you suppose that you would have any room in the public meeting, in the same way as you have now assembled, or would be able to attend the games [*ludi*] or days of public business?"²⁸

I mentioned earlier the violent conflicts in 100 over land allotments which would have included Italian along with Roman ex-soldiers.²⁹ If a share in the profits of Empire, for which they had to fight, was one of the things which the Italians wanted, they must surely have noted this episode. Worse was to come. A law passed by the consuls of 95, Licinius Crassus and Mucius Scaevola, set up a procedure to enquire into citizen rights improperly enjoyed, or claimed, by Italians: no one was to be considered who was not in fact a citizen.³⁰ It is easy and natural to see this step as an action "of" the two consuls; but it was not only theirs. Like any other law it had to be notified in advance, and proposed in public meetings before the people. Innumerable proposed laws met opposition, by counter-persuasion or force, and many were never passed. This one *was* passed, by the votes of the people. Contrast this with the events of 91–90, which might reasonably be taken as the prime example of divisions within the office-holding class, of the presentation of conflicting views before the people, and of the people's effective right to call members of the senatorial class to account, and (until military necessity dictated otherwise) to protect its own constitutional powers. It is instructive to compare the law mooted by Livius Drusus, to give citizenship to the Italians, which (as it seems) never came to a vote, with that of Varius, directed against those who had helped the Italians, which was passed.

There seems to be no direct evidence as to what was said in

support of, or against, Drusus' law to enfranchise the Italians; nor is it quite certain that the matter ever reached the stage of being debated in public meetings. The public meeting held by Drusus which the consul, L. Marcius Philippus, tried to interrupt, only to suffer physical violence for his pains, apparently concerned the agrarian law, or laws (Val. Max. 9, 5, 2; *De vir ill.* 76, 9). Cicero does, however, describe the public meeting which Philippus held in September, and in which he raised popular feeling against the Senate, saying that he would need to seek another advice (*consilium*); for with that Senate (as it then was) he could not conduct the affairs of the *res publica*. Drusus then summoned the Senate, to report on the consul's speech, and Licinius Crassus delivered his swan song, a denunciation of the consul's attack on the place of the Senate in the state. The celebrated narrative (*De or.* 3, 1–11) in which Cicero retails all this surely reveals enough to suggest that the real issue at this moment was popular hostility to Drusus' proposal, and suspicion of those within the Senate who were believed to support it. A few days later Crassus died. A few days after that Gaius Cotta was "expelled from the tribunate through rancour"—that is, through rancour he failed to gain the tribunate for which he was a candidate (*De or.* 1, 25). The reason is surely clear from the fact that some months later he was exiled under the law proposed by the tribune Q. Varius, and passed, perhaps in 90 rather than 91, by the people. This law set up a court into the actions of those "by whose assistance or advice the [Italian] allies had taken up arms against the Roman people" (Asconius 22C). All those persons known to have been condemned were Roman senators. They did not of course include Livius Drusus himself, who had been murdered in October of 91; nor apparently, did they include the aged Aemilius Scaurus, whom Varius summoned separately before the people and accused of having incited the Italians to arms; but he rebutted the accusation by a direct demand to the citizens to believe his word (Asconius 22C). Popular opinion could always be swayed by an effective personal plea. But when Drusus' opponent, the consul Marcius Philippus, denounced the Senate to the people; when Cotta lost the tribunate through rancour; and when Varius could persuade the people to vote a law to investigate and punish those who had betrayed them from above by encouraging the Italians in the hope of sharing their rights—all that was surely as clear a demonstration as we could possibly have of the power of popular politics, and the strength of popular feeling for the retention of the people's exclusive rights to the exercise of political power: "he [Crassus] did not [live to] see Italy ablaze with war, the

Senate inflamed with passion, the leading citizens arraigned for a nefarious crime" (*De or.* 3, 8, Loeb trans.).

Within a few months the war forced the people to pass the first of the laws by which they were after all to share those rights with the Italians. With that there began a new phase in the nature of the Roman political system, one in which military force and organized violence were to play a part in a way unknown before, and in which any crowd which gathered in the Forum bore an even more erratic relationship to the vastly increased number of qualified voters. It was also to be the greatest age of Roman oratory, much of it directed to the people at public meetings. Persuasion was still vital; and the votes of those few who did vote played a crucial part in the last decades of republican history.

NOTES

*First published in *JRS* 76 (1986): 1–11. This chapter represents the text of a lecture given at the Roman Society on 19 March 1985. As is obvious, it continues the themes and preoccupations of my article "The Political Character of the Classical Roman Republic, 200–151 B.C.," *JRS* 74 (1984): 1 (chapter 4 in this volume). As will be equally obvious, it pretends to be no more than an essay, or sketch, recommending one way of seeing the politics of this period; it does not attempt to give a full or balanced account. Hence the text remains essentially in the form in which it was given as a lecture, and no attempt has been made to give full references to modern works, or more than the minimum essential ancient evidence. I am grateful for comments to the Editorial Committee of the *JRS* and also to Jean-Louis Ferrary.

1. I use the word "particular" to emphasize that this chapter, like its predecessor (chapter 4), can be seen as one reflection of a general reconsideration of the nature of Roman politics, as a reaction to interpretations which emphasise prosopography or the influence of *clientela*. In retrospect many of the most important considerations can be seen to be expressed already in P. A. Brunt, *Social Conflicts in the Roman Republic* (1971), closely followed in many respects by M. I. Finley, *Politics in the Ancient World* (1983), who went some distance, though in my view not far enough, in recognizing the reality of political issues in second-century Rome. The fluidity and competitiveness which marked political life and the holding of office are well emphasized by K. Hopkins and G. Burton in *Death and*

Renewal (1983), chap. 2, esp. 107ff. The same competitiveness and individualism is also rightly stressed by T. P. Wiseman, *Roman Political Life, 90 B.C.–A.D. 69* (1985), chap. 1. Similarly, note W. M. Beard and M. Crawford, *Rome in the Late Republic* (1985). My approach has derived much from all these studies, as also from L. Perelli, *Il movimento popolare nell'ultimo secolo della Repubblica* (1982). None, however, has shared the particular stress which I would like to put on the element of oratorical persuasion addressed to the crowd. Note, however, C. Nicolet, "La polémique politique au deuxième siècle avant Jésus-Christ," in C. Nicolet, ed., *Demokratia et Aristokratia* (1983), 37.

2. E. Badian, *JRS* 57 (1967): 217, quoted by R. Seager, in the introduction to his translation, *The Roman Nobility* (1969), xi.

3. P. A. Brunt, "Nobilitas and Novitas," *JRS* 72 (1982): 1.

4. Gelzer, trans. Seager (n. 2), 139 (my emphasis).

5. Gelzer, trans. Seager (n. 2), 85.

6. For the ideological content and revolutionary implications of Saturninus' legislation see above all the very important articles of J.-L. Ferrary, "Recherches sur la législation de Saturninus et de Glaucia," *MEFR(A)* 89 (1977): 619; "Les origines de la loi de majesté à Rome," *CRAI* (1983): 556.

7. Note now esp. A. D. Momigliano, "The Origins of Rome," *Settimo Contributo* (1984): 379.

8. M. Hassall, M. Crawford, and J. Reynolds, "Rome and the Eastern Provinces at the End of the Second Century B.C.," *JRS* 64 (1974): 195; note R. K. Sherck, *Rome and the Greek East to the Death of Augustus* (1984), no. 55 (translation and commentary).

9. Cf. the works referred to in n. 1.

10. No such explanation is offered in this chapter, and it is not clear to me whether any is possible. It is, however, worth noting the discussion, relating to a later period, in Lily Ross Taylor's *Party Politics in the Age of Caesar* (1949), chap. 3. It is interesting to note the presuppositions embodied in the title of this section, "Delivering the Vote." I hope to return to this question elsewhere, in the context of the popular politics of the last decades of the Republic.

11. There is much to be learned from the analyses of the relation of the individual and the people in Z. Yavetz, *Plebs and Princeps* (1969).

12. Polybius 6, 9, 6–9. I am very grateful to John North for pointing out to me in conversation that this passage can be read as an implicit prediction of the course of events in the last century of the

Republic.

13. See now P. Garnsey and D. Rathbone, "The Background to the Grain Law of Gaius Gracchus," *JRS* 75 (1985): 20.

14. *ORF*³, pp. 44–85. See J.-L. Ferrary, "À propos de deux fragments attribués à C. Fannius, cos. 122," in C. Nicolet, ed., *Demokratia et Aristokratia* (1983), 51, arguing that the quotations are not contemporary, but come from later declamations on the subject of Gaius Gracchus.

15. See most recently E. Badian, "The Death of Saturninus," *Chiron* 14 (1984): 101.

16. On this, see esp. T. N. Mitchell, *Cicero: The Ascending Years* (1979), chap. 1.

17. A. N. Sherwin-White, "The Lex Repetundarum and the Political Ideas of Gaius Gracchus," *JRS* 72 (1982): 18.

18. Riccobono, *FIRA*² I, no. 6; P. F. Girard, F. Senn, and V. Giuffré, *Lois des romains*⁷ (1977), no. 6. See now M. Crawford, ed., *Roman Statutes I–II* (1996), no. 48.

19. For text and discussion of this document, long since destroyed, see R. K. Sherck, *Roman Documents from the Greek East* (1969), no. 16; Sherck (n. 8), no. 53 (text and discussion). For a comparable publicity clause, note the Fragmentum Tarentinum, Girard et al. (n. 18), no. 9, ll. 13ff. See now Crawford (n. 18), no. 8.

20. So E. Badian, *Roman Imperialism in the Late Republic*² (1968), 25.

21. See M. Crawford, *Roman Republican Coinage I* (1975), 266ff; for 110/9, p. 313.

22. T. P. Wiseman, *Clio's Cosmetics* (1979), chap. 2.

23. The use of historical examples in various public contexts is one mode which, *pace* Finley (n. 1), 126ff., the Romans of this period did possess for representing political conflict.

24. For an interesting and valuable, but not ultimately persuasive, attempt to argue that under Tiberius' agrarian law Italian allies could receive both allotments of public land and a simultaneous grant of the citizenship, see J. S. Richardson, "The Ownership of Italian Land: Tiberius Gracchus and the Italians," *JRS* 70 (1980): 1.

25. Festus 286M/362L. Cicero, *De off.* 3, 47, suggests, without quite proving, that the law was actually passed. Was it directed specifically against Italian allies, or against all (or overseas?) foreigners? In the

latter case it may not be quite certain that Gaius Gracchus was opposing the law. Might he not have been arguing that “these nations” (e.g., the Greek cities) had suffered disaster by their own fault?

26. Val. Max. 9, 5, 5; Appian, *BC* 1, 21/86–87; 34/152.

27. Appian, *BC* 1, 23/99–101. I would not put any weight on the various proposals and counter-proposals vaguely recorded by Plutarch, *Gaius Gracchus* 5 and 8–9.

28. Iulius Victor 6, 4 (C. Halm, *Rhetores Latini Minores* (1863), p. 402).

29. Appian, *BC* 1, 29–30/129–40. For a detailed discussion of this passage, the only item in our evidence to mention popular hostility to benefits for Italian ex-soldiers, see now H. Schneider, “Die politische Rolle der *plebs urbana* während der Tribunate des L. Appuleius Saturninus,” *Ancient Society* 12–13 (1982–83): 193.

30. See esp. Cicero. *De off*, 3, 47; Asconius 67–68C.

CHAPTER SIX

Popular Politics at Rome in the Late Republic



“After this, Curio delivered before the people a lengthy denunciation of Pompey and the consuls, and when he had finished his term of office at once set off to join Caesar.” Few people who have studied Roman history will have difficulty in identifying the moment which these words describe. It is of course December of the year 50 B.C., when the incoming consuls-elect had made up their minds to resist Julius Caesar by force, and when Curio, coming to the end of his tribunate, due on December 9, held his last meeting to address the Roman people. Caesar’s crossing of the Rubicon was not far away. We are exactly at the major turning point in Roman history. We are also, and this is surely no accident, exactly half way through the great *Roman History* in eighty books, written in the third century A.D. by Cassius Dio, a Greek from Bithynia, a Roman senator, and *consul ordinarius* in A.D. 229. The words which I have quoted are in fact the very last sentence of book 40.¹

Dio thus displayed considerable artistry and sense of overall design in choosing the last moments of the tribunate of Curio to end the first half of his *History*. These were not however to be the last words addressed to the people before the civil war broke out. Among the ten tribunes taking up office on 10 December 50 B.C., were Marcus Antonius and Q. Cassius Longinus. By 25 December, Cicero and Pompey, then at Formiae, more than 100 kilometres away, had in their hands the text of a *contio*, a speech before the people, delivered by Antonius on 21 December: “containing,” as Cicero reported to Atticus, “a denunciation of Pompey since he came of age [*a toga pura*], a protest on behalf of the persons condemned, and threats of armed force.”² After the new consuls, C. Claudius Marcellus and L. Cornelius Lentulus, had entered office on 1 January 49, Antonius held another public meeting (*contio*), at which he read out the text of a letter from Caesar; in it Caesar put proposals which, as Plutarch reports, were “persuasive to the people”: that he and Pompey should both give up their provinces, dismiss their forces, submit to the judgement of the people, and render an account of their actions.³ But the Senate on 7 January passed what Caesar calls that “extreme and ultimate decree . .

. that the consuls, praetors, tribunes of the plebs, and whichever proconsuls were in the neighbourhood of the city, should see to it that the *res publica* suffered no loss,” thereby misleading modern scholars into thinking that there was a legal entity called the *senatus consultum ultimum*.⁴ Immediately after this vote, Antonius and Cassius also left to join Caesar, and the civil war began.

How had such a crisis arisen? What was the nature of the political system which gave rise to the civil war and, as a result of it, to a monarchical regime which was to last, in Rome and in Constantinople, for a millennium and a half? What was the place within it of the Senate on the one hand, and the Roman people on the other?

It is still common to say that the Senate represented the “government” of the Roman Republic. A typical formulation is that offered even by P. A. Brunt, whose work has done more than that of anyone else to rid us of stereotypes which are in fact quite recent, but have become hardened into dogma: “The true governing organ of the Roman Republic was the senate which acted through annual magistrates elected by the people but drawn from its own ranks. The senate itself was dominated by a few noble families whose power reposed on their wealth and on the number of their dependents and on the prestige they derived from their past services to the state.” He goes on to talk of the theoretical power of the people, the practical restrictions imposed on their voting, and the manipulation of those conditions by the ruling class: “At Rome there were too many checks and balances in the constitution, which operated in practice only in the interest of the ruling class. Reformers had to use force, or at least to create conditions in which the senate had reason to fear its use.”⁵

I think that most people would accept this as a fair description of the structure of politics in the late Republic: an oligarchical system, dominated by noble families; a stable system progressively destabilised, in part at least, by eruptions of mob violence. It is significant indeed that the well-known article from which these quotations are drawn is called “The Roman Mob,” and ends with a catalogue of acts of political violence in Rome in the last century of the Republic.

I am not going to suggest that this standard view is wholly wrong. Indeed it lies in the nature of analyses of political systems that they cannot be, in any simple sense, right or wrong. But I do want to suggest that we could see the whole system in rather different terms. For a start we need to establish some different perspectives.

Firstly, the traditional model assumes that popular quiescence or passivity was the norm; popular action running counter to the interests or the wishes of the Senate, or of the upper classes as a whole, represents a breakdown, normally accompanied by violence. No one will dispute that group violence, fuelled by various political motivations, often occurred in the politics of the late Republic. Alternatively, John North's very valuable discussion of the nature and limits of democratic politics at Rome asserts "The popular will of the Roman people found expression in the context, and only in the context, of discussion within the oligarchy."⁶ The formulation seems convincing. But by importing the words "the oligarchy" it presupposes that we can define such a group in a way which is not circular, that is, which does not depend on the mere fact of election to office. It also presupposes that mass reactions had, and could have, no influence. And it (again) invites to take as the norm a state of affairs (when?) in which there were no divisions among the "oligarchy." But, more important still, the standard formulation does not take sufficiently into account the central fact that the sovereign body in the Roman *res publica* was not the Senate, but the Roman people. Roman laws expressed this fundamental conception with perfect clarity: the tribunician law of (almost certainly) late 101 B.C. had spoken of the "nations outside [Italy] who are in the friendship of the Roman people";⁷ Saturninus' law of 100 on *maiestas* (treason) defined it in terms which Cicero reflects in the 80s: to detract in any way from the dignity (*dignitas*) or the greatness (*amplitudo*) or the power (*potestas*) of the people, or of those to whom the people has given power.⁸ And in 58 B.C., when the consuls, Gabinius and Piso, passed a law establishing the immunity from taxation of the sacred island of Delos, the text of the law incorporated the notion that this measure "was in accordance with the dignity and majesty of the Roman people."⁹

Using "democracy" in a strictly neutral sense, it is undeniable that the constitution of the Roman Republic was that of a direct democracy. Firstly, in Rome all office was conferred by election in the assemblies. Our sources reflect repeatedly the conception that office was a favour (*beneficium*) conferred by the Roman people, something which had to be asked for from the people.¹⁰ As Cicero emphasised in his speech in defense of Plancius of 54 B.C., it was essential for a candidate to present the public image of someone petitioning humbly (*submissee supplicare*), and particularly essential for a *nobilis*, someone with at least one ancestor who had already held a major office.¹¹ Given this public expectation, it was also the norm that a consul, on

entering office on January 1, should make a speech of thanks to the populace to give thanks for the favour conferred on him.¹² It is not for us to say that all this was mere pretence: firstly, because office could in fact not be gained without election, preceded by the well-known processes of *ambitus*, that is, literally going around soliciting votes; and, secondly, because the public ideology of a system is itself a fact about it, which we cannot ignore if we wish to understand it. It is noteworthy that it has now been demonstrated by Alexander Yakobson that because the elections were *competitive*, even elections in the centuriate assembly (*comitia centuriata*) represented a power of choice by the people which could and often did extend beyond the highest classes.¹³

Secondly, and even more important, it was the people, and not the Senate, who could legislate; they did so by voting in person; a *lex* or *plebiscitum* was by definition something put to the *populus* or *plebs*, and formally voted on by them; as is well known, in the late Republic the assembly which voted on *leges* was almost always the tribal assembly (*comitia tributa*) of the thirty-five tribes. In the relatively rare cases where such a law conferred a right or privilege on an individual, this too could be seen as a favour conferred by the Roman people: so Julius Caesar in early 49 complained that the Senate and consuls were denying him the right conferred by the law proposed by the ten tribunes in 52, and passed by the people, namely that he would be allowed to stand for the consulship in absence: “he was grieved that the favour conferred on him by the Roman people should be injuriously denied him by his enemies.”¹⁴ It is more important to recall that the right to propose legislation to the people had been removed from the tribunes in Sulla’s legislation in the late 80s, was the subject of repeated popular pressure through the 70s, and was restored in 70. Thereafter, the process of legislation became again what it had been before, one of the central elements in the public political process, and the main agent of *change*. This needs to be stressed: the passing of new laws by the people was *the* essential vehicle by which rapid and fundamental change came about in the last twenty years of the Republic.

Should we see this twenty-year period, from 70 to 50 B.C., on which I intend to concentrate, as itself representing the breakdown of a previously successful and stable political order? In a wider perspective, that would indeed be paradoxical. For it was precisely in this period that Roman direct rule, and Roman taxation, suddenly

expanded through Asia Minor to Syria, the banks of the Euphrates, and the edge of the desert in one direction, and to the North Sea in the other. As Pompey claimed in a speech addressed to the people some time after his return in 62, “he had received Asia as the furthest of provinces and restored it to his homeland as a central one (in the Empire).”¹⁵ It should be noted that this claim was made in a *contio*, a speech addressed to a meeting of the people. There followed the great triumph celebrated in Rome by Pompey in 61, in which the extent of his conquests, the scale of the booty, and, what is more, the vast increase in the recurring taxation income of the Empire were all demonstrated in visual form before the people.¹⁶ It is not surprising that the law of 58 B.C. about Delos, referred to earlier, not only looks back to the law of 67 which Gabinius had passed as tribune (against almost universal opposition from the Senate); as a result of it, the law of 58 recalls, the pirates had been “overcome and destroyed”; but the text of the law also describes the present state of affairs as one in which the *imperium* had been expanded (*amplificatum*) and peace achieved throughout the world.¹⁷ In 58 also, of course, Caesar was to begin his campaigns in Gaul, a chance which he too owed to a law proposed by a tribune, and passed by the people, in 59; in 58 itself another law proposed by Clodius as tribune, would send Cato to annex the Ptolemaic kingdom of Cyprus. The constitutional and political issue which was at stake in this case was also presented quite explicitly to the people. Cicero twice records that Caesar wrote from Gaul to congratulate Clodius on putting Cato in this position; his acceptance of this commission would prevent him from complaining in future about grants of extraordinary powers. More important, however, is the fact that this letter was then read out by Clodius to the crowd assembled at a public meeting.¹⁸ If Cato was embarrassed by this mission, he did not show it when he returned in 56 B.C. He sailed back to Rome in one of the royal galleys, and had the royal treasures paraded through the Forum, to the amazement of the people. Once again, the profits of the Empire were literally demonstrated to the public.¹⁹

Yet another law of Clodius, passed in January 58, established for the first time that the monthly grain distribution made to the people of Rome should be free of all charge. To Cicero this law seemed, as such laws always did, a misuse of the revenues of the state: “with the remission of the charge about a fifth of the revenues would be removed.” To others it was clearly, as Asconius says, “extremely popular”; to them it will surely have seemed the fulfilment of the

principle put forward earlier, by the Gracchi: “what could be more just than that the impoverished *people* should be supported from their own treasury”?²⁰

I would like to suggest that we should, among other perspectives, also try to see the evolution of the Roman Empire, and the pattern of Roman political life, from the point of view of the people of Rome. In doing so we need not in the least deny the important role of the upper classes: the inherent militarism of Roman upper-class life; the competitiveness and search for personal and family glory; the vast scale of personal profiteering; and the steadily rising standards of personal wealth, luxury, and display. All that is beyond question, and the expansion of the Roman Empire would not have taken place in the same way without it. But we can still try the stratagem of adopting a perspective which is not that of the upper classes, and seeing whether it does not make as good or better sense of the evidence before us. Suppose, that is, that we consider the Roman political system, Roman military activities, and the expansion and exploitation of the Empire, in terms of how far they satisfied the interests of the voters, the Roman people.

The political quiescence of the first half of the second century B.C. would then appear not as domination by the Senate, but as the result of a series of relatively brief, successful, profitable, and glorious wars in the East on the one hand; and, on the other, of the continued availability in Italy of newly conquered land, which could be divided out for settlement, at any rate down to the 170s.²¹ The political turmoil of the second half of the second century would then be seen as arising, for instance, from involvement in long and unprofitable major wars in Spain, from 153 B.C. onwards; then from suspicions of improper conduct and profiteering on the part of senatorial commanders—we should recall the famous trial of Sulpicius Galba before the Roman people in 149, and the passage in the same year of the first tribunician law to set up a court to try senatorial governors and office-holders for extortion;²² but, above all, conflicts now arose over the occupation and use of a now fixed and limited stock of public land in Italy.

I do not need to rehearse again all the themes of popular politics in the later second century: the use of the funds left by Attalus of Pergamon to Rome; the exploitation of the revenues of Asia; suspicions over corruption and bribery on the part of senators; the laws on grain distribution in Rome, so far at a fixed price, not free; the

treason law of Saturninus, whose terms were quoted earlier; the first laws for establishing colonies or land allotments overseas; the major law of 101 B.C. laying down what was to be done in Asia Minor and in Macedonia, and imposing on office-holders the obligation to swear within five days to obey its provisions. Taken together, these and other measures of the period represent both an assertion of popular sovereignty and repeated attempts to reap the benefits of empire for the people.²³

The Social War of 90 B.C., the extension of the Roman citizenship to all of Italy, and the consequent doubling of the number of persons in principle qualified to vote in Rome represented one major disturbance of this political pattern; I will come back later to some of its consequences. Another disturbance of course was the establishment by force of Sulla's counter-revolution in 82, and the constitutional changes which were then imposed. It is important to stress how profound a counter-revolution this was. Whatever the exact form of the removal of tribunician legislation, the very fact that this step was taken demonstrates the centrality of the operation of popular sovereignty. So does the force of the reaction in the following decade. For by 70 B.C. all the essential elements of popular politics had reasserted themselves. When C. Aurelius Cotta, as consul in 75 B.C., passed a law to give back to the tribunes the right to stand for further office, it was "against the will of the *nobilitas*, but with great popular enthusiasm."²⁴ L. Quinctius, as tribune in 74, is described by Cicero as having brought back the "tribunician voice" to the Rostra, abandoned since Sulla, and caused the people to become once again accustomed to public meetings.²⁵ M. Seius, aedile in the same year, provided oil and grain at a modest price for the Roman people, apparently contributing the cost from his own pocket. As a result he became a popular hero; statues of him were dedicated on the Capitol and the Palatine, and on death he was carried to his cremation by the people.²⁶ The consuls of the next year, 73, carried a law for the purchase of grain in the provinces, for consumption in Rome. Demands for the restoration of the tribunate continued, coupled with popular suspicion of the operations of the extortion court, as conducted by the senatorial jurors. Indeed, if we may believe Cicero, the latter question aroused even more feeling than the former. For in his first speech against Verres, of 70 B.C., he recalls an occasion in the previous year:²⁷

Finally, when Cn. Pompeius himself, as consul designate, held his first

public meeting near the city, in which, as seemed to be the thing most expected of him, he made clear that he would restore the powers of the tribunes, there arose in response a noise and a contented murmur on the part of the crowd. But when he himself in the same speech had said that the provinces were being ravaged and harried, and the courts becoming a shame and disgrace—this was something which he intended to provide for and take steps about; then indeed, not with a mere noise, but with a mighty shout the Roman people made known their will.

Time and again in the orations against Verres, Cicero alludes to the force of popular opinion in Rome, as it bore on the conduct of the courts, and emphasises the hostility of the Roman people to Verres. A law transferring control of the courts had indeed not yet been passed; that was precisely the threat which he was holding over the heads of the senatorial jurors. “What can we say against that praetor [L. Aurelius Cotta] who daily occupies the *templum* [i.e., the Rostra in the Forum] and who says [i.e., in speeches to the people] that the *res publica* cannot stand unless the courts are transferred to the equestrian order?”²⁸

Thus the various elements of a political system based on popular power and directed to popular gratification had either survived the Sullan regime or, by 70, been restored after it. Cicero can allude casually in the Verrine orations to the fact that “in our *res publica*” people gain office by *largitio*, by largesse to the voters.²⁹ The series of games and shows offered to the people had even increased in this period. The summer in which Cicero was speaking was taken up not only by the traditional Roman Games, but by the Victory Games established by Sulla himself, and the Votive Games given by Pompey as consul.³⁰ Cicero himself could look forward to the power and public role which he would enjoy as aedile in 69; if Verres were not condemned, he would be able, as aedile, to accuse him before a popular court.³¹ More important, occupation of this office will give him a central role in the life of the city: the conduct of games in honour of the gods, the care of the sacred buildings, the care of the whole city.³²

Immediately after 70, and the restoration of the right of the tribunes to propose legislation to the people, the course of popular politics duly resumed the pattern which it had shown until the year 100. Within a couple of years laws put to the assembly by tribunes became the means by which provincial commands were transferred,

and detailed questions relating to the provinces settled. It was surely by means of a law that, in 68, the province of Cilicia was removed from Lucullus' command and given to Q. Marcius Rex;³³ and it is virtually certain that the law on the privileges of Termessos in Pisidia, put to the plebs by a group of tribunes, also belongs to 68; among other things the text of this law declares that the people of Termessos are to be "friends and allies" of the Roman people, and it instructs magistrates and promagistrates not to billet soldiers there, or make any illegal demands on them.³⁴

This phase came to a head in 67. One law passed by the tribune Gabinius gave to the consul, M'. Acilius Glabrio, the province of Bithynia and Pontus, and another gave Pompey his historic Mediterranean-wide command against the pirates. In the following year Cicero, speaking to the people, was to recall the scene when this latter law was passed.³⁵

Do you think that there is any shore so deserted, that the fame of that day has not reached it, when the whole Roman People, with the forum packed, and every temple crowded from which this place [the Rostra] can be seen, demanded Cn. Pompeius as sole *imperator* for the common war on behalf of all peoples?

It would be possible to devote an entire paper to the complex patterns of popular politics—or of *public* politics conducted in the open in a central public place, the Forum Romanum—as they showed themselves in this law, and other legislation of the year 67. But a few episodes will suffice by way of illustration. The two prominent ex-consuls (*consulares*), Hortensius and Catulus, both spoke against the law, to the people.³⁶ Catulus did so in part by question-and-answer to the crowd, as Cicero recalls:³⁷

When he asked of you (the people), if you were to confer all power on Pompey, and if anything happened to him, in whom you would repose your hopes, he gained a striking reward for his own virtue and dignity, when you all with one voice said that it would be in him himself.

Here, as in the following year, a fundamental argument about the nature of the constitution on the one hand, and the needs of imperial security on the other, was being conducted in public through the medium of speeches. Cicero's *Pro lege Manilia* itself, a literary version of a public speech delivered by Cicero to the people, is our best evidence of that. One should note especially the elaborate arguments from historical precedent, and, as always, the fear of the effects in

Rome of losing the revenues of Asia. Particular significance attaches to the quotation of Hortensius' speech against this law: *if* all power were to be granted to one man, Hortensius had said, Pompey was the most worthy; but it was *not* proper to grant all power to one man.³⁸

Of course political decisions were not made solely on the basis of reasoned public argument about past precedent and present necessity. The complex machinery of the Roman constitution could be invoked to crush opposition; in 67, when another tribune, Trebellius, was persuaded to veto the law about Pompey's command, Gabinius had called in the thirty-five tribes one by one to vote on his deposition. Only when seventeen tribes had voted, and the eighteenth was going to, did he give in.³⁹ In the same year another tribune, Cornelius, raised the issue of profiteering by the medium of loans being made to foreign ambassadors present in Rome; this question too became a constitutional issue, when he proposed that the steps taken by the Senate were inadequate, and that law passed by the people was required.⁴⁰ The attempt to pass the law led to a veto by another tribune; this veto had the effect of stopping the scribe from reading out the text of the law to the people; so Cornelius took the text (*codex*) and read it out himself. Note that custom required that the whole text of the law should be read out before the people—and that no one had established whether one tribune could veto another acting in person. When the consul declared publicly that a veto of this type was improper, he was greeted with abuse by the people; when he ordered his lictors to arrest some of them, their *fascēs* (rods) were broken, and stones were hurled from the back of the crowd.⁴¹

This issue was in the end settled by a compromise. But it involved basic questions as to who might profit from the power conferred by Empire, and where sovereignty lay. The atmosphere of the year 67 is, however, perhaps best recaptured in another incident which Cicero retails eleven years later in his speech in defence of Sestius. Gabinius, as tribune in 67, had displayed to the crowd a picture of a villa, with the object of bringing a prominent citizen (Lucullus) into disrepute.⁴² The purpose was clearly to arouse popular suspicion of profiteering and luxurious private life-styles. "The Roman people," as Cicero recalled, defending Murena in 63, "hates private luxury, and delights in public magnificence."⁴³ Visual messages, as well as verbal ones, had their place in popular politics.

With the mid 60s, we have of course returned to the period from which I started: the period of the clearing of the pirates from the

Mediterranean, and of the great conquests by Lucullus and Pompey, soon to be followed by those of Caesar, when the Empire was indeed expanded, as the law of 58 proudly stated. I have emphasised above all two things. In the short term, in the 60s and 50s, there was the essential role of laws passed by the people in establishing the major commands which made the conquests possible. The laws already mentioned were followed by those of 58 which gave Piso the province of Macedonia, and Gabinius first Cilicia and then Syria; and then the laws of 55 which gave Pompey Spain and Crassus Syria, each for five years, and another which prolonged Caesar's command in Gaul.

The second essential point is the extent to which all this led to benefits which themselves reflected the fact of the sovereignty of the Roman people. Suppose, as I suggested earlier, that we ask how the whole story would look if we saw it from the perspective of the people of Rome. The most obvious example is the fact that a free corn ration was established by a law passed by Clodius in 58; this right to free corn was to last late into the Empire. Then there were laws to use the resources of the state to acquire land for individuals. The law proposed by Rullus on entering the tribunate in December 64 aimed to raise funds by selling public assets in the provinces, and to use these funds for buying private land on which individual citizens could be settled. The text of Rullus' law was put up in public, where interested parties could copy it; and Rullus explained his proposals to the people in a speech which, Cicero says, was so long and so complicated that no one understood it.⁴⁴ We do not know whether the bill was rejected, or was never finally put to the vote; only that it did not become law. Nor do we know why; we only know Cicero's public speech against it, his second oration *De lege agraria*, using, among others, the arguments that the proposal was in reality a device to gather power into a few irresponsible hands. But the same issue returned in 60 with the bill about land distribution proposed by Flavius, when again Cicero made a detailed speech against it, addressed to the people; here he defended the interests of private property "with a favourable reception from the public meeting," or so he reports.⁴⁵ The bill of 60 also did not become law; but the two agrarian bills of Caesar in 59 did, to be followed in his dictatorship by the first-ever extensive programme of colonisation overseas, involving some 80,000 people. Conquest, overseas colonisation, and the political change which we call "the Roman Revolution" are three aspects of the same process.

One other argument which Cicero had used in 63, against Rullus'

proposal for procuring agricultural land on which to settle citizens, was the fact that they would then be deprived of the delights of the city:⁴⁶

You indeed, Citizens, if you will listen to me, keep hold of what you have, your political influence [*gratia*], your freedom, your votes, your dignity, your city, forum, games, festivals, and all your other assets.

These were indeed real assets. It would be a mistake to see public shows and ceremonials, and the steadily rising level of the public magnificence which was demanded of office-holders by the people, as trivial features of the way that Roman politics worked.⁴⁷ Looked at structurally, they were both a price paid to the people for office, and a means by which the benefits of Empire could be felt by the mass of the people in Rome. There is no need here for a long catalogue of shows and liberalities. It may be sufficient to mention, for example, the dinner and the three-month supply of grain given to the people by Crassus as consul in 70;⁴⁸ or Caesar's ruinously expensive displays as aedile in 65; or the famous games given by Scaurus as aedile in 58, which involved the construction of a temporary theatre three storeys high, of which the first was veneered in marble; the theatre allegedly seated 80,000 spectators, and contained 3,000 statues.⁴⁹ Scaurus was also to display 150 female leopards, the first hippopotamus ever shown in Rome, and 5 crocodiles for which a special water-channel had to be cut. From Jaffa he brought what was said to be the skeleton of the monster to which Andromeda had been exposed.⁵⁰ The point was not solely to exhibit magnificence, or to amaze the public. Scaurus had been left by Pompey as the first governor of Syria, with the anomalous rank of *proquaestore propriaetore*, in 63–62, immediately after it had been conquered. The legendary monster from Jaffa, like the coins of 58 naming both Scaurus as *aid(ilis) cur(ulis)* and King Aretas of Nabataea (which he had in fact invaded, but then retreated), was thus another comforting reminder to the people of the rapid recent extension of the boundaries of Roman power.⁵¹

This extension was aptly mirrored also, in the 50s, by major building projects instituted and paid for by the great conquerors out of the profits of conquest. These buildings have many levels of significance, but one is precisely the channelling for public benefit of profits which could have been spent privately. Pompey's permanent stone theatre, the first ever constructed in Rome, was said by Pliny to have seated 40,000 spectators; the true figure is perhaps 10,000, which is striking enough. This too was also a symbol of Roman

expansion: the design was copied from the theatre at Mitylene; and in and around the theatre stood fourteen statues of personified nations, evidently those conquered by Pompey. Above the *cavea* stood a temple of Venus Victrix, and in theory the seats of the *cavea* were merely the steps leading up to the temple. In his edict addressed to the people Pompey invited them to the dedication of this temple “to which we have subjoined seats for the shows.” Like his triumph of six years before, but in permanent form, the theatre offered the Roman people a symbol of his, and its, victory. Before the battle of Pharsalus Pompey was to dream that he was entering the theatre to make offerings to Venus Victrix, and receiving the applause of the people.⁵²

A permanent inscription, with Pompey’s name, was placed on the theatre only three years later, during his third consulship in 52.⁵³ By that time he was already in danger of being outdone. For Caesar’s building projects, financed by his victories in Gaul, were planned to occupy an even more central place in the political life of the Roman people. The sum of 100 million sesterces from the spoils of war in Gaul was used merely to purchase the ground for his new Forum.⁵⁴ By mid 54 Cicero himself, as he records in a letter to Atticus, was in some way involved in plans for extending the Forum as far as the Atrium Libertatis, and 60 million sesterces had already been spent. In the same letter of 54, Cicero alludes to even more spectacular plans for building on that other essential public space, the Campus Martius, where the elections were held (all elections, as it seems, since the mid second century). Here the plan was to build for the electoral assemblies a marble enclosure, the *Saepta*, roofed and surrounded by a portico 1,000 paces in length. This building was in fact to be completed in 26 B.C., one year after Senate and People had finally recognised the power of Augustus.⁵⁵ That may seem to be a paradox. In fact it is not. For it was precisely this two-way relationship between *princeps* and *plebs* which broke up the Republic.

These lavish buildings and elaborate, apparently pointless, displays are not a trivial or superficial aspect of Republican politics. To understand their significance we have to consider them together with the distributions of grain, which was now free, and reached some 300,000 people; Cicero may be exaggerating in saying that these distributions used up a fifth of the public revenues; but the scale of the provision is still striking.⁵⁶ Similarly, buildings and shows meant the deployment in Rome of major organisational efforts in relation to the rather slight overall functions which the Roman *res publica* performed.

In sheer terms of scale and cost these things cannot be regarded as trivial. As I suggested earlier, we could reasonably look at the whole course of Rome's expansion and exploitation of its empire in terms of its capacity to provide benefits for the Roman people. In that context it is very significant that by 57 the people saw themselves as entitled, not merely to a free ration of corn, but to active measures on the part of the state to provide corn for the market in Rome. In September of 57 the crowd gathered spontaneously in the temporary theatre erected for the Roman Games and then rushed to where the Senate was meeting; according to Cicero, in a letter to Atticus, Clodius inspired the crowd to shout that the shortage was his, Cicero's, fault. They also demanded that Cicero propose that the care of the corn supply be given to Pompey. After he had duly proposed this, and the Senate had passed a decree in these terms, the text of it was immediately read out to the crowd outside. When the crowd applauded "in the silly, new-fangled fashion," by chanting Cicero's name, he himself made a speech before them.⁵⁷ Dio may be over-dramatising in recording that the mob in fact rushed to the Capitol, where the Senate was meeting in the temple of Concordia, and threatened to slaughter the senators and burn down the temples.⁵⁸ But the essential points are clear: the presumption of a public right to beneficial measures on the part of the state; the highly exposed position of the Senate when popular feeling was aroused; and (to look forward) the permanent acceptance later, under the Empire, both of a free corn distribution and of the state's obligation to protect the market price of corn. The demands of the Roman people were to find their most important reflection in the *Res Gestae* of Augustus.

In the late Republic, however, the term Roman people was already a highly ambiguous one. Almost all the benefits which it successfully demanded were felt in the city itself—the shows put on by office-holders and others, the triumphs which literally demonstrated the profits of Empire before the people, the distributions of corn, the provisions for the supply of market corn. So too of course all the active functions of a citizen could only be performed in Rome, by voting in person in the traditional locations of the Forum or the Campus Martius. But, as was mentioned earlier, the effect of the Social War of 90 B.C. had been to win the citizenship for everyone in Italy—that is, of course, all free, adult males—living south of the Po, not far short of a million people in all. They were not in practice registered as voters, however, until twenty years later, in the consulship of Pompey and Crassus in 70, which saw the effective doubling of the registered

citizen body. As Cicero was delivering his first oration against Verres in the summer of 70 B.C., he could refer to “this crowd [*frequentia*] from all over Italy, which has gathered at a single moment from all directions, for the elections, the games, and registration in the census.”⁵⁹

As is well known, the structure of the Roman city-state was not changed in the slightest to reflect its progressive numerical and geographical expansion. All political activity was still carried out in Rome, in person. But what Lily Ross Taylor, in her much underestimated book on Roman politics in the time of Caesar, called “delivering the vote” could now involve canvassing as far away as the Po Valley.⁶⁰ In elections, all might thus depend on which groups, from which areas, might feel the enthusiasm, or be persuaded, to make the journey in to Rome to vote. Defending Plancius in 54, Cicero points out that it was precisely *because* he came from a rather obscure place, Atina, that everyone in that neighbourhood had come in to vote for him in his campaign for the aedileship; so had large numbers from the small towns nearby, Arpinum, Sora, Casinum, Venafrum, Allifae. In Tusculum, from where his defeated rival came, the prospect of a local man reaching the aedileship was commonplace, and of no interest.⁶¹ These small places which had supported Plancius lay over 100 kilometres from Rome; but for a particular reason, when a local man was standing, it was possible to “get out the vote” from there.

But this was an election, happening at a more or less predictable time, and support could be prepared in advance. The various factors and influences which were relevant to Roman elections have often been studied. Too often indeed; for we have allowed our overall picture of the Roman political process to be determined by that. The consulate, for instance, was dominated by *nobiles*, the descendants of office-holders.⁶² Does that of itself prove that in political terms the *res publica* was, or could be, run by an oligarchy for its own benefit? No: firstly, public office was, as indicated earlier, conceived of as a favour conferred by the people. Secondly, and more important, in the case of the two annual consuls, we should remember what Cicero said: the people, in electing consuls, were choosing *imperatores* (generals). Only secondarily, and in particular circumstances, might people look to rhetorical ability: “[then] a consul is sought who by speaking may sometimes repress the furor of the tribunes, turn aside the excited people, resist largess.”⁶³ Four fundamental points are relevant here; firstly, elections to the consulship tell us a lot, but not everything,

about Roman political life. Secondly, other offices, and above all the tribunate, were also reflections of popular support, and vehicles of popular politics; thirdly, the use of words, oratory, before the people, was central to the political process in Rome; and fourthly—the most important thing of all—the central focus of politics was *not* election to office but conflict about laws.

Here too the gross discrepancy between the total number of voters and the relatively small numbers who did, or even could, vote in the traditional public assembly, the Forum, played a major part. In this context also, research is only now beginning to examine forms of leadership or political influence which might be brought to bear within the context of a large city, made up of different quarters (*vici*), in order to bring large crowds to the Forum or the Campus Martius.⁶⁴ As to what happened when a crowd did assemble, it is crucial to recall that there was no organised force on which elected officials could depend. As Wilfried Nippel has shown, the very limited level of force which could be exercised by the lictors who accompanied the consuls was hardly more than symbolic, and depended for its effectiveness on communal deference.⁶⁵ When that disappeared, the way was open to mob violence, or to the organised gangs of Clodius and Milo. Time and place were all; a crowd occupying the Forum might pass a law there, and be succeeded within the same day by a different crowd protesting. So, in 55, one tribune by occupying the Forum in advance got a law passed to give long-term commands to Pompey and Crassus; as the crowd was departing, another tribune appeared, showed the people one of his colleagues who had been injured, and “by saying those things which would have been expected, profoundly stirred their feelings.”⁶⁶ In the same year, after Vatinius and others had been elected as praetors with the aid of force, to serve for that same year, those who had voted for them left the Campus Martius. Then a tribune called a public meeting there, which was addressed by Cato, who told the people what would come from the domination of Pompey and Crassus. Plutarch claims that he was then escorted home by a larger crowd than had accompanied any of the elected praetors.⁶⁷

These violent and erratic fluctuations are well known, and indeed have an established place in pictures of the breakdown of the republican system. All that I wish to emphasise is that they are themselves a product of what one cannot quite call democratic politics, and certainly not a class struggle; but it was a matter of popular politics, or crowd politics, and it was about the passing of

laws and measures to do with the empire. For it is absolutely crucial to emphasise that a Roman crowd occupying one of the established centres of political activity was—or could be—something fundamentally different from the “urban mob” familiar from many periods of history. For such a crowd, as soon as it was organised into its voting units, whether tribes or centuries, was not *protesting* against the actions either of a legal sovereign or of an effective “governing organ.” For it was itself the sovereign body, and in many respects it was also the governing organ. Moreover, and this is my final point, we underestimate how large a part in all this was played by persuasion, mainly in the form of oratory, but also by question-and-answer, or by various forms of visual presentation. In all of this we are looking at various aspects of the *contio*—a word which, depending on the context, means an informal public meeting called by an office-holder, a speech delivered at such a meeting, or the actual crowd attending it.

It is important to stress that the Senate itself functioned within this context of crowd politics. As I mentioned earlier, it met in exposed locations in the centre of the city, normally of course in the *curia* on the edge of the Forum itself. The noise of an angry crowd gathered around the Comitium outside could be heard inside. Moreover, interested persons from within the Senate could also easily step outside and report to the crowd on what had been said inside. So in 52, on the day after the murder of Clodius, T. Munatius Plancus delivered a public speech to explain what decree the Senate had intended to pass, who had asked for a division, who had interposed a veto, and why.⁶⁸ Or, again, Clodius could report in a public meeting that the college of *pontifices* had ruled that the destruction of Cicero’s house was legal, and that Cicero was trying to regain possession of it by force; the people should follow him in defence of their liberty.⁶⁹ Alternatively, prominent persons, office-holders or members of the colleges of priests, could be brought before public meetings to give public testimony in person. So Cicero, speaking as if addressing Clodius, recalls what the latter had done as tribune in 58:⁷⁰

You produced Bibulus before a public meeting, as you did also the augurs; in response to your interrogation the augurs replied that when someone was watching the heavens for *auspicia*, it was not legal to put measures before the people.

Two years later, C. Cato, as tribune of 56, compelled members of the college of fifteen people called *Quindecimviri sacris faciundis* to read out verses from the Sibylline Books before a public meeting.⁷¹ In the

same year the consul, Cn. Cornelius Lentulus Marcellinus, complained in a public meeting about the excessive power (*potentia*) of Pompey and Crassus and was met with roars of approval from the people.⁷² He also brought these two in person before a public meeting, and questioned them as to whether they intended to stand for the consulship—"the many," according to Plutarch, "bidding them answer,"⁷³ that is, shouting out that they wanted an answer. To Cicero this sort of dialogue with the crowd was a dangerous innovation which was all too like the uncontrolled licence of Greek democracies—as was the scandalous idea of the populace being able to debate things sitting down, a point on which he speaks at length in his speech in defence of Flaccus.⁷⁴ Thus he writes of Appius Claudius Pulcher, the brother of Clodius, and praetor in 57:⁷⁵

That praetor, in the fashion not of his father, grandfather, and great-grandfather, but of mere Greeks, used to interrogate the crowd at a public meeting on the subject of myself, asking "did they wish me to be restored"?—and when he was answered by the half-dead voices of some hired hacks would proclaim that the Roman people said no.

It would be possible to go on with many more examples of speeches before the people, and reactions from them, speeches which might continue up to the last moment before people divided into their tribal voting units to vote on a law.⁷⁶ The notion current in modern books that there was no debate at meetings of the Roman people is a pure technicality, which distinguishes the voting process itself from the highly politicised public meetings (*contiones*) which preceded it. We would understand late republican politics much better if we took the content of what Antonius said to the people in December of the year 50 as seriously as Cicero did. Antonius, it may be recalled, had denounced the public role of Pompey throughout his career; had protested about improper condemnations in the courts; and had threatened civil war. Four days later a written text of the speech was being studied by Cicero, over 100 kilometres away in Formiae. If we paid equally close attention to the actual words addressed to the sovereign people in Rome, we would be better placed to understand the nature of Roman politics, the evolution of the republican empire, and that very direct relationship between speaker and crowd which played so fundamental a part in the workings of the republican system. That it continued to do so was one legacy, among many others, of the nuclear city-state, with an urban centre and surrounding territory, which Rome had been until the early fourth century. Hence

the workings of politics in Rome were always marked by those direct exchanges between *plebs* and *princeps* whose subtleties were first explored by Zvi Yavetz.⁷⁷ It is only a seeming paradox that it was this primitive feature of the Republic, direct addresses to the crowd followed by their voting as the sovereign People, which was to contribute so much to the emergence of monarchy.

NOTES

*First published in I. Malkin and Z. W. Rubensohn, eds., *Leaders and Masses in the Roman World: Studies in Honor of Zvi Yavetz* (1995), 91–113. This chapter, which it is a deep pleasure to offer to Zvi Yavetz, owes much to a lecture given at the Classical Association in Glasgow in 1986, and subsequently, in various forms, at a number of universities in the United Kingdom and Ireland, at New York University, and—on a memorable occasion in January 1989—at Tel-Aviv. I have kept the style of a lecture, with only minimal notes, partly as a tribute to one of the great masters of the spoken word, in English and other languages, and partly because it is itself a *Vorarbeit*. The topic is explored more fully in my Jerome Lectures of 1993–94, “The Crowd in Rome in the Late Republic”; now published as *The Crowd in Rome in the Late Republic* (1998).

1. Dio 40, 66, 5.

2. Cic., *Att.* 7, 8, 5 (Shackleton-Bailey, no. 131).

3. Plut., *Pomp.* 59.

4. Caesar, *Bell. Civ.* 1, 5, 3, on which see the text, translation, and commentary by J. C. Carter, *Julius Caesar, The Civil Wars Book I and II* (1991) (taking, however, a more definite view than I do of the *senatus consultum ultimum* as an institution).

5. The quotations are from P. A. Brunt, “The Roman Mob,” *Past and Present* 35 (1966): 3, on pp. 4–5 and 8; this article was unfortunately not reprinted with other important papers in *The Fall of the Roman Republic* (1988), 4. But it was *Social Conflicts in the Roman Republic* (1971), which took the first significant step in removing the stereotypes which have obscured the reality of communal politics at Rome.

6. J. A. North, “Democratic Politics in Republican Rome,” *Past and Present* 126 (1990): 3, on p. 18.

7. M. Hassall, M. Crawford, and J. Reynolds, “Rome and the Eastern Provinces at the End of the Second Century BC,” *JRS* 64

(1974): 195, Cnidos Copy, col. III, 11.33–34.

8. Cic., *Inv.* 3, 53.

9. C. Nicolet et al., *Insula Sacra: la loi Gabinia Calpurnia de Délos* (58 av. J-C) (1980), restored text on p. 149, l. 18.

10. See, e.g., Lucretius 3, 995–98: “Sisyphus in this life also appears before our eyes, gasping to solicit from the people the *fascēs* [rods] and the sacred axes, and always retires sad and defeated.”

11. Cic., *Pro Plancio* 12–13; 50.

12. Cic., *De leg. ag.* 1, 1.

13. A. Jakobson, “*Petitio et largitio*: Popular Participation in the Centuriate Assembly of the Late Republic,” *JRS* 82 (1992): 32.

14. Caesar, *Bell. Civ.* 1, 9, 2, on which see Carter (n. 4).

15. Pliny, *NH* 7, 99; *ORF*³, Cn. Pompeius Magnus V/19.

16. See esp. Plut., *Pomp.* 45.

17. See n. 9; see ll. 16–19 of text.

18. Cic., *Dom.* 22; *Sest.* 60.

19. Plut., *Cato Min.* 39.

20. Cic., *Sest.* 55; Asconius, ed. Clark, 8; Florus, *Epit.* 2, 1.

21. For my view of this period, obviously not the only one which is possible, see “The Political Character of the Classical Roman Republic, 200–151 BC,” *JRS* 74 (1984), 1 (chapter 4 in this volume).

22. See J. S. Richardson, “The Purpose of the Lex Calpurnia de repetundis,” *JRS* 77 (1987): 1.

23. For a sketch of the ways in which these issues played a role in oratory addressed to the People, see F. Millar, “Politics, Persuasion and the People before the Social War,” *JRS* 76 (1986): 1 (chapter 5 in this volume).

24. Asconius, ed. Clark, 66–67.

25. Cic., *Cluent.* 110–12. See Broughton, *MRR* II, 103.

26. Cic., *De off.* 2, 58; Pliny, *NH* 15, 2; 18, 16.

27. Cic., *Verr.* 1, 45.

28. E.g., *Verr. II* 3, 7; 223.

29. *Verr. II* 2, 138.

30. *Verr.* 1, 31.

31. *Verr. II* 5, 173.

32. *Verr. II* 5, 36–37.

33. Dio 36, 2, 2.
34. See J.-L. Ferrary, "La Lex Antonia de Termessibus," *Athenaeum* 63 (1985): 419.
35. Cic., *Man.* 44.
36. *Man.* 51–53, 56.
37. *Man.* 59.
38. *Man.* 52.
39. Asconius 37, ed. Clark.
40. I make no attempt in this context to go into the complex series of events associated with this tribunate. See, e.g., M. Griffin, "The Tribune C. Cornelius," *JRS* 63 (1973): 196.
41. Asconius 57–59, ed. Clark.
42. Cic., *Sest.* 93.
43. Cic., *Mur.* 76.
44. Cic., *De leg. ag.* 2, 13–14.
45. Cic., *Att.* 1, 19, 4 (Shackleton-Bailey, no. 19).
46. *De leg. ag.* 2, 70–1.
47. The best treatment of the role of public magnificence in the late Republic is P. Veyne, *Le pain et le cirque* (1976), pt. iii, trans. as *Bread and Circuses* (1990). See also Yakobson (n. 13).
48. Plut., *Crass.* 2, 12.
49. Pliny, *NH* 36, 113–15.
50. Pliny, *NH* 8, 64 (leopards); 96 (hippopotamus and crocodiles); 9, 11 (monster from Jaffa).
51. Broughton, *MRR* II, 168, 175; M. Crawford, *Roman Republican Coinage* I (1974), no. 422.
52. Pliny, *NH* 35, 115 (40,000 spectators); 41 (*nationes*). Tertullian, *Spect.* 10, 5 (*edictum*); Plut., *Pomp.* 68, 2 (dream). See E. Frézouls, "La construction du *theatrum lapideum* et son contexte politique," in *Théâtre et spectacles dans l'Antiquité* (Colloque Strasbourg 1981, 1983), 193. See P. Zanker, *Augustus und die Macht der Bilder* (1987), 30ff.
53. Aulus Gellius, *NA* 10, 1, 7.
54. Suet., *Div. Jul.* 26.
55. Cic., *Att.* 4, 16, 8, Shackleton-Bailey, no. 86. On the Forum Iulium, whose scanty surviving remains are in any case of the imperial period, see esp. Platner-Ashby s.v., and J. C. Anderson, *The Historical Topography of the Imperial Fora* (1984), chap. 1. For the Saepta,

Platner-Ashby s.v. Completion in 26 B.C.: Dio 53, 23, 2, and L. R. Taylor, *Roman Voting Assemblies* (1966), esp. 47ff. See now R. B. Ulrich, *AJA* 97 (1993): 49, and N. Purcell, *PBSR* 61 (1993): 125.

56. For Cicero's claim, see text to n. 20. For the grain distributions, see the succinct treatment in G. E. Rickman, *The Corn Supply of Ancient Rome* (1980), chap. 7.

57. Cic., *Att.* 4, 1, 6, Shackleton-Bailey, no. 73, translates "more hoc insulso et novo plausum meo nomine recitando dedisset" as "the people applauded after the silly new-fangled fashion *when* my name was read out," surely wrongly. The new fashion will have been that of applauding *by* repeating his name.

58. Dio 39, 9.

59. *Verr.* 1, 54.

60. L. R. Taylor, *Party Politics in the Age of Caesar* (1949), chap. 3. See, e.g., *Comm. Pet.* 30–31; Cic., *Att.* 1, 1, 2.

61. Cic., *Planc.* 19–22.

62. For a clear demonstration of this, see now E. Badian, "The Consuls, 179–49 B.C.," *Chiron* 20 (1990): 371.

63. Cic., *Mur.* 38; 24.

64. See now P. J. J. Vanderbroeck, *Popular Leadership and Collective Behaviour in the Late Roman Republic (ca. 80–50 B.C.)* (1987), a valuable work from which there is much to learn.

65. W. Nippel, "Policing Rome," *JRS* 74 (1984): 20, and *Aufbruch und "Polizei" in der römischen Republik* (1988).

66. Dio 39, 35.

67. Plut., *Cato Min.* 42.

68. Asconius, ed. Clark, 44–45.

69. Cic., *Att.* 4, 2 (Shackleton-Bailey, no. 74).

70. Cic., *Dom.* 40.

71. Dio 39, 15, 1–16, 1.

72. Val. Max. 6, 2, 6.

73. Plut., *Pomp.* 51.

74. Cic., *Flacc.* 15–18.

75. Cic., *Sest.* 126.

76. See Asconius, ed. Clark, 71.

77. Z. Yavetz, *Plebs and Princeps* (1969); reissued with a preface by C. Nicolet and an avant-propos by the author, as *La plèbe et le prince*:

foule et vie politique sous le haut-empire romain (1984).

CHAPTER SEVEN

Cornelius Nepos, “Atticus,” and the Roman Revolution



The biography of Atticus by Cornelius Nepos, covering the last eight decades of the Republic and written at the precise moment of the establishment of monarchy by Octavian, ought always to have been treated both as one of the best introductions to the period, and as an exposition, from a unique angle, of some of the values expressed in Roman society. But now, more than ever, there may be a place for a brief essay which attempts to bring out both some values exhibited in this particular text and the way in which these were taken up, distorted, and deployed in the propaganda of the Augustan regime. For, firstly, the larger background of late-Republican scholarship, antiquarianism, historiography, and biography has been fully explored by Elizabeth Rawson;¹ secondly, Joseph Geiger has argued for the originality of Nepos as a writer of political biography;² thirdly, we have a major study of the ethical models which it is the purpose of the biography to hold up for emulation.³ Finally, John North, in an important review article on recent works on Roman religion,⁴ has identified three significant characteristics of late republican religiosity: a scholarly or antiquarian perception of religious change, often seen as decline; the identification of religion as the subject of a particular form of discourse; and a shift in focus within the sphere of religion, from the community as a whole to great men within it. All three come together, as we will see below, in the passage of Nepos' biography in which he records how, some time in the 30s B.C., Atticus suggested to Octavian that the now roofless temple of Iuppiter Feretrius on the Capitol should be repaired.

But first the main characteristics of Nepos' representation of Atticus need to be outlined. It should be stressed that the subject of what follows is not the “real” Atticus, even supposing that any valid conception of that entity were attainable, but the “Atticus” whom Nepos delineates for us. Before that it will be useful to recall who Cornelius Nepos was, what he wrote, and why.⁵ Like Catullus, whose first poem is addressed to him, and like Virgil, he came from the Po Valley, perhaps from Mediolanum. If this is correct, his home town

gained Latin rights in 89 B.C. and the citizenship not until 49; and the area ceased to be a province only in 42.⁶ Yet, like others from that region, he not only seems to have spent his time in Rome, but wrote as a Roman, composing short biographies which contrasted distinguished foreigners with distinguished Romans, in various categories: of these biographies, the lives of non-Roman generals survive, as do, of Roman historians, the *Cato* and the *Atticus*. Earlier, he had written the *Chronica*, which set out in chronological order parallel events and persons in the Roman and Greek past. Nepos had already written this work in three books when Catullus addressed poem 1 to him in the 50s.⁷ He was also a personal friend of Atticus, and had written most of his biography of Atticus before the latter died at the end of March 32 B.C. He then added chapters 19–22. For reasons which we will see, it is particularly unfortunate that we cannot tell which, if any, of the events of the following years had already happened before he wrote these concluding chapters. At any rate Nepos himself can hardly have been born later than the 80s B.C., and perhaps considerably earlier. His statement (*Att.* 19, 1) that *Fortuna* willed that he should survive Atticus, may suggest that his birth fell before the beginning of the first century.

Nepos is thus someone who in his modest way reflects many of the major tendencies of Roman society and culture in the first century B.C. The fact that he can be seen as representatively “Roman” is however itself a reflection of that well-known process by which the greatest age of Roman literature, and with it our conceptions of “Rome,” were the product of people of non-Roman origin.

Atticus himself, however, was different, for he came from a long line of native Romans “descended as he was from the remotest origins of the Roman race” as Nepos says (1, 1). It may be that in stressing this Nepos was indeed speaking from the standpoint of a “new Roman.” More important however for the significance of the model which the *Life* set out to present is the fact that Atticus was an *eques*. The significance of that lies firstly in the terminology which Nepos uses to describe Atticus’ rank: “retained uninterrupted the equestrian rank [*dignitas*] inherited from his forbears” (1, 1). It is striking that *dignitas* can be used of a personal status not associated with any public office,⁸ or still less with any positive achievement. In fact, although Nepos cannot have meant to say that Atticus formally inherited equestrian rank from his ancestors, he certainly does represent this *dignitas* as having been in a real sense derived from them. The bias of

our evidence means that we normally see social status in Rome from above. Nepos here affords us a rare glimpse of the status of a long-standing equestrian family, as seen from below, or from outside.

The *Life* is thus a literary presentation of the biography of an equestrian—the only one in the whole of Roman literature. As such, the closest parallel to it is not a work of literature in the normal sense, but something which, though preserved on an inscription, should be seen as a literary work, namely the so-called *Laudatio Turiae*, for which Nicholas Horsfall's recent study is now essential.⁹ In its vivid reflection of the troubled fortunes of a wealthy Roman family which eventually survived the Triumvirate and the proscriptions, to achieve peace under Augustus, this funerary oration is very close in content, and location on the social hierarchy, though not in all of its presuppositions, to Nepos' *Life*. As an oration, it is also one of the most substantial surviving specimens of Augustan prose, and the only one emanating from a private person which survives (in part) as inscribed at the time.

At least two features however serve to give a much greater importance to Nepos' biography. Firstly the life of his subject can be portrayed over an exceptionally long and eventful period, from Atticus' birth in 110/9 B.C. to his death on 31 March, 32. Born in the early stages of the Jugurthine War, he survived, as Nepos records (19, 4), to see his one-year-old granddaughter, Vipsania, the child of his daughter Pomponia and of Agrippa, betrothed to Tiberius Claudius Nero, the future Emperor Tiberius.

The biography thus presents the most troubled period of Roman history from the angle of a man who was at the heart of Roman society, but was not a political actor in the events of the day; it is the biography of one who endured and survived, not who acted. But this is no mere negative point, or mere reflection of facts. For the model which the biography holds up is that in which the virtues of the hero and the appropriateness of his responses to circumstances must be demonstrated by the options which he might have taken up but did not; in short it is a representation of what its hero did not do, of the temptations presented by public life, and changes of political fortune, to which he did not succumb. By contrast, the positive virtues and activities which are exhibited are those of private life, of scholarship, antiquarianism, and concern for the traditions and antiquities of Rome. It is incontestable, as we will see, that Nepos himself was at the least reserved and neutral, and very likely hostile, in the face of

Octavian's rise to power. The irony of it all is that it was precisely the type of irreproachable private scholarship to which Nepos' "Atticus" is shown devoting himself that was to be taken up and deployed in the propaganda of the new regime.

But before that it is worth looking at some examples of what, as portrayed by Nepos, Atticus did not do. For example, in the 80s, when the state was divided between Sulla's party (Sullani) and Cinna's party (Cinnani), he saw no chance of living as befitted his rank (*pro dignitate*), for fear of offending one or other party—so he withdrew to Athens and took no part (2, 1–2). Then, when Sulla came to Athens on his way back from the East in 84–83, he wanted Atticus to accompany him on the invasion of Italy. But Atticus again enunciated his standing principle of neutrality: "I would not wish you to lead me against those with whom I would not bear arms against you, leaving Italy to avoid this." Sulla praised his sense of duty (*officium*) and departed (4, 1–2). What we see here is a striking reversal of the principle allegedly laid down by Solon: that the citizen has a duty to take sides in a civil dispute. The overriding duty here is private; civil war is, potentially or actually, a disturbance of a network of mutual private obligations.

Public life and public office were not for Atticus. What Nepos says in this connection is perhaps worth quoting in full (6, 1):

As regards public life he conducted himself in such a way that he both was [in fact], and had the reputation of being, of the "best party" [*optimae partes*] but he would not commit himself to the billows of civil strife; for he considered that those who did so were no more in control of their own destiny than those who trusted themselves to the billows of the sea.

This passage continues with a whole series of negatives. He *could* have sought public office, having the necessary influence (*gratia*) and dignity—but did not because office could no longer be gained or held without corruption. He did *not* purchase any properties of condemned persons, when sold off by the state. He did *not* engage in accusation, or private litigation. When many consuls and praetors conferred prefectures on him, he accepted these only on condition of *not* going to the province in question—he was content with the *honour* (i.e., the mere title), ignoring the profit to his estate. This is quite an important passage for the way in which the Roman state worked in the late Republic. For it is a reflection of the right which senatorial provincial governors exercised, of conferring the position of prefect by patronage on equestrians—and thereby, as we see with Cicero's experience in

Cilicia, giving them on occasion an actual military command, with the possibility of using force.¹⁰ The state thus devolved some of its functions, leaving them to be exercised by private patronage. There is also an unmistakable implication in what Nepos says, that such a position, when occupied, could be expected to lead to an increase in personal wealth at the expense of the provincials. Perhaps more important, these military prefectures, conferred by consuls and praetors as provincial governors, were in fact the origin of the public roles of equestrians as they evolved under Augustus and later emperors.¹¹

Atticus would also not go with Quintus Cicero as proconsul of Asia (in 61), when offered the rank of a legate: since he could have been a praetor himself, Nepos says, he would not be a hanger-on of a praetor: he thus preserved both his dignity and his peace avoiding suspicions of wrongdoing. His attention was all the more valued, because people saw that it must be attributed to his sense of duty rather than to fear or to hope (6, 4–5).

With the office of legate we again see, of course, the origins of a key element in the Augustan system. A legate, as is clear in this context, *might* still, in the late Republic, be an equestrian, rather than, as was normal (and as was to be a firm rule under the Empire), a senator.¹² More significant for the late Republic is, once again, what Atticus is described as avoiding. He is refusing, that is, to blur the domains of private duty and public rank, and public profit. The normal rule, as is clearly implied, was that everybody did just that. Public functions, private social relations and obligations, and personal profiteering were closely interrelated.

The civil war broke out in 49, when Atticus was about 60. When Pompey left Italy, Atticus stayed in Rome, profiting from the exemption conferred by age; but he caused no offence by doing so, or at any rate not to his personal friend Pompey. By contrast, those who had earlier accepted wealth or offices from Pompey now had the choice of joining him reluctantly in his camp or of mortally offending him by staying at home (7, 1–2). Atticus' inactivity indeed so pleased Caesar that, when he obliged others, by letter, to make contributions of money, he exempted Atticus. Thus, as Nepos says, by keeping to his old rule of conduct he escaped these new dangers (7, 3).

Then, after the Ides of March, some persons conceived the idea of setting up a fund into which the Roman equestrians would make contributions to assist the assassins of Caesar. A friend of Brutus

(himself a friend of Atticus) called upon Atticus to take the lead, or to be in charge—"ut eius rei princeps esse" (8, 3). Again, what follows is worth quoting:

But, he [Atticus], on the grounds that he was someone who thought that services [*officia*] should be offered to friends without taking sides, and who had always kept himself clear of such schemes, replied as follows. If Brutus wished to make any use of his resources, he should do so, to the extent that they were available; but he himself would enter into no joint discussions, or plans, on this matter with anyone.

Once again private services had to be observed, but public action avoided. The principle is presented, as it is consistently throughout the biography, as something praiseworthy. But of course the price paid for it was rather high. Brutus and Cassius were the last to fight in the name of liberty.

The following paragraphs (8–12) give a devastating impression of the swings of fortune which confronted Roman society in the later 40s and the 30s B.C. In the first part of 43 B.C. there was the campaign of Mutina; Antonius was declared a public enemy (*hostis*), so everyone attacked his wife, Fulvia, his children, and his friends. Atticus, however, gave Fulvia financial support at crucial moments (9). Then came the reversal of 43 ("fortune suddenly turned" [*conversa subito fortuna est*], 10, 1), the arrival in Rome of the *imperatores* (Antonius, Lepidus, and Octavian), the Triumvirate, and the proscriptions. Atticus went into hiding. But Antonius remembered Atticus' *officium* (i.e. his conduct to Fulvia) and wrote a letter with his own hand to offer him protection (10, 4). Now in favour, Atticus could have used the occasion of the proscriptions to increase his own property. But instead he used his influence solely to seek relief for friends facing danger or loss—"in deprecandis amicorum aut periculis aut incommodis" (12, 2). But here too, of course, we can see a foreshadowing of the Empire. As in Cicero's *Pro Marcello*, or in the petitions addressed to Lepidus and Octavian by the brave wife praised in the *Laudatio Turiae*, power was now held by non-responsible rulers to whom the appropriate form of address was a *deprecatio*, a "begging-off," as a matter of favour, or clemency, on behalf of those in danger or disfavour.

With that we have already crossed the border between what Atticus abstained from doing and what he did in fact do, in the public, or semi-public arena. Obviously enough, this boundary, for someone of Atticus' wealth and social position, could never be securely maintained. Thus, if we go back over Nepos' biography of him, though

he would never join any faction or conspiracy, he did in fact deploy his wealth repeatedly to assist individuals in public life who needed it: he gave money to help the younger Marius, in flight in 88/7 (2, 2), and also gave 250,000 sesterces to Cicero, in exile in 58/7 (4, 4). In 49, though he stayed in Rome himself, he gave money to others setting off to join Pompey (6, 7); and in 44, though he would not join an organization to help Brutus and Cassius, he nonetheless sent Brutus successive gifts of 100,000 and then 300,000 sesterces (8, 2–3)—just as he soon afterwards helped the family and friends of Antonius (8, 3), and then (by contrast) those of the opposite party, in flight from the proscriptions and from Philippi (11). Nepos presents this even-handed generosity as having a moral basis, that is the maintenance of private *officium* regardless of circumstances. But it also had another purpose, of course—that of personal survival through drastic swings of fortune: why, Nepos says (10, 6), should one not regard as remarkable the prudence of a man who amid so many and so terrible civil storms wins through to safety?

A prominent equestrian in this period could not in fact help being part of the political scene, even if he did not accept prefectures or take up public contracts (6, 3: “for no enterprise did he become a surety or a contractor,” may refer to this). As Nepos’ biography shows, along with a mass of other evidence, there was no social barrier between equestrian families and senatorial ones; indeed, even to put it like that is misleading, since what we are concerned with is a single social class, people of sufficient landed wealth to live off their income. Within that class some families had a continuous, or relatively continuous, tradition of holding public office, and thus entering the Senate. Other families might come into, or drop out of, the Senate. Since Syme’s *The Roman Revolution* attention has always tended to concentrate on upward mobility, that is, the entry of “new men” from the Italian municipalities into the Senate.¹³ But often these “new men” were in one sense not new at all; they had already enjoyed from youth onwards personal connections and friendships with prominent senators. This is particularly well attested in the case of Cicero.¹⁴ Such people were new to the electoral process in Rome, or at least to the apex of it, election as consul. But they were very often not new to senatorial society, even the most aristocratic elements of it.

If this was true of a man from a *municipium* like Cicero, it was of course even more true of a rich equestrian from an old Roman family, like Atticus. The wealth which he inherited from his father was

already considerable, 2 million sesterces according to Nepos (14, 2); but we also know from Nepos (5, 1–2) that his uncle, Q. Caecilius, who died in 58, adopted him by will and left him a further 10 million sesterces—that is, ten times the level that Augustus was later to establish as the minimum senatorial census. Nepos, however, tactfully leaves out the information which Valerius Maximus supplies (7, 8, 5), that Caecilius had previously implied that he would leave all this to Lucullus; public indignation at this breach of trust was such that the mob dragged Caecilius’ body through the streets of Rome.

That connection with Lucullus is just one indication of the absence of any social barrier between equestrians and senators; and Atticus himself, as Nepos records (1, 3), “had a notable reputation among his contemporaries”; his outstanding skill in rhetoric was not easy to bear for his aristocratic fellow students (*generosi condiscipuli*). It is very apposite that Nepos names as Atticus’ friends and fellow students in youth the following three persons, who between them illustrate the variety of social levels within the Senate: firstly, L. Torquatus, that is, L. Manlius Torquatus, a patrician and later consul of 65 B.C.; then the younger Marius, a second-generation senator; and finally Cicero, not yet a senator (1, 4).

Another sign which indicates how senators and equestrians should be seen as a single class is marriage connections. Of course, no one has ever suggested that senators formed a legally, or conventionally, closed group, who married only among themselves. But we still tend to use terms like “senatorial aristocracy” or “senatorial oligarchy” which are in many ways misleading. Among senators there were certainly families with outstanding office-holding traditions (indeed we shall see that the lifetime of Atticus was just the period when, more than ever before, people took to emphasising genealogy, genuine or otherwise). But to enter the Senate, of some 300 and then after Sulla, some 600, members, was a *choice*, a choice of role and life-style, made by members of a wider social class.

The marriage connections of Atticus’ family may serve to illustrate this. Atticus’ cousin, Anicia, for instance, was married to the brother of Sulpicius Rufus, the tribune of 88;¹⁵ this fact was one reason for Atticus’ prudent withdrawal to Athens in the mid 80s (2, 1–2). His sister was married to Quintus Cicero (5, 3), who was also of course embarked on a senatorial career. Later, as we saw, Atticus’ daughter Pomponia was married to Agrippa. In this case Nepos does emphasize that such a choice on Agrippa’s part was something worthy of note:

Agrippa, Nepos says, on account of his influence and power of Caesar (i.e., Octavian), could have made any match he pleased; but he preferred an alliance with Atticus, and chose the daughter of a Roman equestrian rather than an aristocratic bride (*generosarum nuptiae*, 12, 1).

Nepos' use of the word *generosus* is of some interest. As noted earlier, it is quite clear that within the Senate some families stood out as having a particularly distinguished history. We do, however, now have to avoid using the word "noble" here, or rather to be extremely careful about how we use it. For P. A. Brunt has conclusively shown that Gelzer in his *Roman Nobility* was wrong. *Nobilis*, as used in the late Republic, was not in any case a constitutional term; and as a *social* term it does not refer to a small in-group of the descendants of consuls and their equivalents, but to anyone who could boast of any ancestor who had held public office. And this still applied even after a long gap, during which no members of a family had held office.¹⁶

Perhaps then we ought to start using instead the word *generosi*, for those Romans whose ancestry really was, in a loose sense, "aristocratic"—or was thought to be. For, if one thing is certain about the self-consciousness of the Roman upper class in the late Republic, it is, firstly, that there was an outburst of interest in family histories, and, secondly, that not all these histories wholly corresponded to historical reality. It is hardly necessary to recall Julius Caesar, as quaestor in 69, addressing the Roman populace from the Rostra on the occasion of his aunt's funeral. Among other things he gave them the following historical information (Suetonius, *Div. Jul.* 6):

The maternal descent of my aunt Julia sprang from the kings and her paternal descent was linked with the gods. For Ancus Marcius was the ancestor of the Marcii Reges, from which family her mother came. From Venus there descended the Julii, a *gens* of which our *familia* is a branch.

This information would probably have occasioned some surprise if it had been contained in a speech delivered not in 69 but in 269 B.C. (five years before the custom began of marking prominent funerals with a gladiatorial show). For the first Julius Caesar known to have held office in Rome did not appear until 208, and the first Marcius Rex not until the middle of the second century.¹⁷ The claim is in fact typical of the genealogies linking often quite new families to mythical ancestors which were widely evolved in the last two centuries of the Republic.¹⁸ The essential warning about bogus genealogies is provided

by Cicero in the *Brutus*. We all quote this paragraph (62), but by and large we then contrive to ignore it. I think it is worth quoting once again:

The various *familiae* used to preserve them [i.e., laudations of the dead] as their adornments and monuments so to speak, and also for use, if anyone of that stock [*genus*] died; also as a memorial of the honours of the house, and to adorn their *nobilitas*. However, the effect of these laudations has been to falsify our history. Many events are recorded in them which never took place, bogus triumphs, multiple consulates, false genealogies, and transitions to the plebs, so that men of lower birth were insinuated into another *genus* of the same name; as if I [i.e., M. Tullius Cicero] were to claim descent from Manius Tullius, who as a patrician was consul with Servius Sulpicius in the tenth year after the expulsion of the kings.

In fact we can see a perfect example of such an alleged transition of a family (from patrician to plebeian status) embedded in the first paragraph of Suetonius' *Life of Augustus*:

That family [the Octavii] was adlected into the senate by King Tarquinius Priscus among the "minor families," then transferred by Servius Tullius to the patrician families; later it crossed over to the plebs; and then, after a long interval, returned to the patriciate by the agency of Divus Julius.

The relevance of this growth of interest in family histories is Atticus' own role in the matter, as Nepos describes it. This was again an aspect of his central role in Roman society, this time as an antiquarian and scholar in close contact with senators sharing these interests. Such concerns partly represented a genuinely scholarly activity, at least in intention; but partly they were studies pursued in the interests of particular *familiae*. Nepos describes this function of Atticus as follows (18, 1):

He was also an extreme devotee of ancestral custom [*mos maiorum*], and lover of antiquity, of which he had so close a knowledge that he set it all out in that volume in which he arranged the magistracies in order. For there was no law nor peace treaty nor war nor famous deed of the Roman people, which was not recorded at its correct point in time; moreover, he added, as was particularly difficult, the origins of the various families, in such a way that from it we might be able to identify the descendants of famous men.

This last motive is very striking, and will need further discussion. For the moment it is worth stressing that this task needed to be

performed: without scholarly research, if that is the word, people did not necessarily have a clear idea of from whom, in the Roman past, their contemporaries descended. But there is another aspect to this. Like so many elements of Atticus' life and activity, as Nepos presents them, this one looks forward to the values which were to be institutionalized in the reign of Augustus. In the period of Caesar and Augustus the old Forum, a large open space for public use, began its transformation into a crowded site for dynastic monuments, whose highly confusing remains confront us today. The central element in it was now the temple of the Deified Julius, dedicated in 29 B.C. Between it and the ancient temple of Castor and Pollux stood a new arch of Augustus, constructed to celebrate the victory of Actium. On the other side of the temple, between it and the Basilica Aemilia, there may subsequently have been constructed another triple arch, built to celebrate the recovery of the standards from Parthia, and completed in 18–17 B.C. It was on the sides of the central span of this arch, so Coarelli has argued, that there were placed the great marble slabs whose remains we can now see in the Capitoline Museum, and which contained the inscriptions of the *Fasti Triumphales* and *Fasti Consulares*.¹⁹ The lists of people who had held a triumph in Rome (*triumphatores*) and of consuls were thus perpetuated on stone, and put up on an imperial monument at the very centre of Rome, for the instruction and edification of the public. The history of republican Rome was thus formally re-emphasized just at the moment when it was becoming, in a certain sense, irrelevant.

The list of *triumphatores*, as inscribed, concludes with L. Cornelius Balbus, proconsul of Africa, whose triumph was celebrated in 19 B.C. But after 19 B.C., as it turned out, no one would ever again celebrate a triumph, except members of the imperial family;²⁰ and the consulate would rapidly become something which was given out, by patronage, by the emperor. At all events the process of establishing fixed lists of *triumphatores* and consuls, and of freezing the official version on stone, was one which derived directly from the antiquarian obsessions of the late Republic, and from the scholarly activities of which Atticus' work was one example.

But Atticus had also had a second purpose, to enable contemporaries to know from which famous men in the past individuals in their own time descended. Not unnaturally, his senatorial friends found this gratifying. As a consequence, therefore, he found himself composing a whole series of separate family

histories, beginning with a history of the Junian family, which he wrote at the request of Brutus. In this he listed the members of the family, from its origin to the present day, recording who was whose son, and what public offices (*honores*) they had gained at what dates (18, 2–3). In the same way, Nepos says, Claudius Marcellus asked him for a history of the Marcelli, and Cornelius Scipio and Fabius Maximus for one of the Aemilii and the Fabii (18, 3). Perhaps it is not an accident that this genealogical element in the history of Rome came so definitely into fashion just at the moment when power was passing out of the grasp of a network of prominent families and into the hands of a succession of individual rulers.

There were however other reasons for taking an interest in the deeds of famous men in the past. One was simply the pleasure of recalling them. As Nepos puts it, “nothing can be more pleasurable than these books—i.e., Atticus’ books—for those who have any longing for knowledge of famous men” (18, 4). It seems to have been in a separate volume that Atticus further satisfied this longing, firstly, by presenting portraits of men who had excelled other Romans in honour and in the grandeur (*amplitudo*) of their deeds; and, secondly, by accompanying each of these portraits (*imagines*) by four or five lines of verse in which the essentials of their achievements were summed up (18, 5–6). Here too he was following a fashion of the time. For his famous contemporary Varro, among his many other historical and antiquarian works, published one which contained no less than 700 *imagines* of famous men, both Greek and Roman (Pliny, *NH* 35, 11). These too seem each to have been accompanied by both a prose text and an epigram in verse; the evidence of Aulus Gellius seems to show that the work was produced in 39 B.C., under the Triumvirate (*NA* 3, 10).²¹

Once again a literary and antiquarian fashion of the late Republic was taken up by Augustus, immortalized in stone, and (in this case) put to an explicitly propagandist purpose. For the great temple of Mars Ultor, dedicated in 2 B.C., formed the centre-piece of Augustus’ new Forum, the Forum Augustum.²² In front of the temple stood a four-horse chariot (*quadriga*) dedicated to Augustus himself. Along the two sides of the Forum, both opening into wide, semi-circular apses, stood a line of statues of famous figures from the history of Rome: on the one side Aeneas, the kings of Alba Longa, and members of the Julian house; on the other Romulus, and a line of legendary or historical heroes of the Republic. Here too each statue was equipped

with an inscribed text, giving the offices which each man had held, and a brief account of his achievements. Augustus, as we know from Suetonius, intended something more by all this than just the pleasure of contemplating the great deeds of the past. He explained in an edict, couched in his usual somewhat tedious and moralizing style, that he had intended these statues to serve as an example, in terms of which the appropriate conduct could be demanded, by his fellow citizens, both of himself while he lived and of the *principes* of succeeding periods (Suetonius, *Augustus* 31). With these propagandist overtones added, the programme of the Forum of Augustus thus exactly matched, and followed from, that of the antiquarian works composed by innocent scholars in the last years of the Republic.

Moreover, as Nepos' biography of Atticus shows, there was still another area in which the antiquarian interests of the late Republic were to be put to propagandist and programmatic use by the new regime. In the last decade of Atticus' life, that is in the later forties and the thirties, Atticus became a friend of "Imperator Divi filius" (normally now called "Octavian"), as Nepos says in the concluding section which he wrote after Atticus' death. Caesar used to correspond frequently with him, whether he was in Rome or away: in his letters he would ask Atticus to resolve some point of antique learning, or would put to him some literary puzzle (19, 1–20, 2). At this time, Nepos records, the temple of Iuppiter Feretrius on the Capitol, which had been established by Romulus, was lying in ruins, and was roofless through age and neglect. It was at the prompting of Atticus that Octavian undertook the task of restoring it (20, 3).

This step therefore appears here as an isolated measure of the 30s B.C., which was taken before there was any general programme for the restoration of temples; and it owed its origin to the initiative not of Octavian but of Atticus. But, of course, this picture was soon to change. Livy, writing book 4 in the 20s, refers to Augustus as "the founder or restorer of all the temples," and makes a specific mention of the temple of Iuppiter Feretrius, "which he restored when collapsed through old age." He also refers to Augustus' claim that he had personally discovered there evidence that Cornelius Cossus had been consul, rather than military tribune, when he won the *spolia opima* (spoils removed from an enemy general by the Roman commander who had personally killed him in battle) and deposited them there;²³ hence there was no exception to the alleged rule that only those fighting under their own auspices could gain these *spolia*. It is by no

means clear that Livy in fact believed the testimony of Augustus, which he felt obliged to record, in an excursus, with very marked reservations—and without altering his introduction of Cossus as a military tribune (4, 19, 1). Augustus was later of course to include this ancient temple of Iuppiter Feretrius in the list of restored temples which he duly recorded for posterity in his *Res Gestae* (19). He did not, however, feel obliged to recall that this restoration had not, in the first instance, been his own idea, but someone else's. This passage, as noted earlier (text to n. 4), thus represents a significant conjunction between late-Republican scholarship and concern about religion as a distinct area, on the one hand, and the growing dependence of politics on great individuals, on the other.

This correspondence between Atticus and Octavian, along with the marriage of Pomponia to Agrippa, and the betrothal of the one-year-old Vipsania to Tiberius, might well make one think that Atticus, towards the end of his long life, will have been represented by Nepos as a committed supporter of Octavian. For, even if he had not in fact been, one might have expected that Nepos would have made the most of any connections which he had had with Octavian, and any commitment which he had felt to him. It is all the more surprising, therefore, to see that Nepos in fact does just the opposite, that he manifests no enthusiasm for the rise of Octavian to sole power, and, if anything, emphasizes (once again) Atticus' neutrality.

In the section of the biography which had been written and made public ("edita," 19, 1) before Atticus' death in March 32 B.C., Octavian appears simply as "the young Caesar" (*adulescens Caesar*) to whose friendship and power Agrippa had owed the fact that he could have married anyone he chose; however, Nepos specifically notes—"it is not to be concealed"—that the mediator (*conciliator*) of the marriage had in fact been M. Antonius (12, 1–2).

In the final section, written after Atticus' death, Octavian has become "Imperator Divi filius"; his full official name, from about 38 B.C. onwards, had of course been "Imperator Caesar Divi filius."²⁴ It seems clear that Nepos wrote this concluding section before the name "Augustus" was conferred in January 27. But was he writing before or after the battle of Actium in 31, or the death of Antonius in the following year? This seems wholly uncertain. What is clear is, firstly, that Nepos says that Atticus owed his friendship with Octavian to the same elegant style of life (*elegantia vitae*) which had attracted other first men of the state, of equal dignity but lesser good fortune. The

second point is that this—good fortune—is the wholly neutral light in which he places Octavian's rise to power. "For such prosperity accrued to Caesar that Fortune denied him nothing which she had ever granted to anyone else, and won for him what up to that point no Roman citizen had been able to acquire" (19, 2–3).

The marriage relationship served, Nepos says, to strengthen their personal friendship. At this point (20, 1–3) he describes the frequent correspondence between Atticus and Octavian on antiquarian and literary questions, and Atticus' advice about restoring the temple of Iuppiter Feretrius. But then, in a very striking way, Nepos goes on to say that even now Atticus preserved his political neutrality, and kept up a similar relationship with Marcus Antonius. The paragraph which he devotes to this relationship, and to the lessons which were to be drawn from it, is the last in his biography before he comes to Atticus' final illness and death, at the end of March 32 B.C. It cannot, obviously enough, have been written earlier than 32, when according to the *Res Gestae* (25) all of Italy was spontaneously swearing loyalty to Octavian, and asking for him as general (*dux*) in the war which was to be decided at Actium. This is what Nepos writes (20, 5):

His friendship was no less cultivated from a distance, by letter, by Marcus Antonius, to the extent that he kept Atticus informed in detail, from the ends of the earth, as to what he was doing and what his concerns were. The significance of this can be weighed by anyone who is capable of judging what a sign of wisdom it is, to retain the friendship and goodwill of men between whom there was not only rivalry for supreme power, but that degree of personal hostility which was inevitable as between Caesar and Antonius, given that each sought to be the first man [*princeps*] not only of the city of Rome, but of the entire world.

We have no reason to disbelieve the statement made by Nepos, that Atticus continued through the 30s to correspond with Antonius. What attitude Atticus himself had had to the rivalry of Octavian and Antonius we cannot know. But there is nothing to show that it was very different from that of Nepos; and Nepos at any rate saw it as a naked competition for power, in the face of which one showed one's wisdom by maintaining good relations with both sides.

This attitude of neutrality and non-partisanship cannot of itself explain why things turned out as they did. For, of course, there were others who did not act on this principle. Not only Roman senators, but—what is more puzzling—whole armies had earlier fought in the

name of liberty. Equally, not only members of the Roman upper class, but large armies of ordinary men, both Romans and non-Romans, fought under Antonius and Octavian. Why and how they came to do so still seems remarkably difficult to explain. But part of the total picture is surely that many others remained throughout passive, uncommitted, and neutral, preferring private duties and the glories of the past to the urgent issues of the present. As Nepos himself wrote elsewhere, the *res publica* was now governed not by “right” (*ius*) but by “force” (*potentia*) (*Cato* 2, 2); and elsewhere again he complains that the state was endangered by the fact that army veterans claimed the right to give orders themselves, rather than receive them (*Eum.* 8, 2). But no one offered a serious alternative to force, or presented a programme to solve the problems of the veterans. And the philosophic quietism and neutrality, which Atticus observed and Nepos praised, only served to smooth the path to monarchy. Under that new monarchy political neutrality was to be the enforced fate of everybody; and an antiquarian interest in the Roman past could be put to use in the propaganda of the newly established dynasty, and immortalized in stone in the monuments which it put up in the centre of Rome.

NOTES

*First published in *Greece and Rome* 35 (1988): 40–55. This chapter represents a lightly edited version of a lecture given in 1983 to the London Branch of the Classical Association. It seemed on reflection worthwhile to publish it, as an essay suggesting various lessons which might be drawn from this extremely interesting and informative text. I am very grateful for comments to Nicholas Horsfall, whose *Cornelius Nepos: A Selection, including the Lives of Cato and Atticus* (1989) is now essential, and to the late Elizabeth Rawson, who saved me from many errors.

1. E. Rawson, *Intellectual Life in the Late Roman Republic* (London, 1985), chaps. 15–16, on historiography and antiquarianism. This paper, as will be evident, makes no attempt to explore the wider deployment of antiquarian studies in the Augustan period.

2. J. Geiger, *Cornelius Nepos and Ancient Political Biography*, *Historia Einzelschriften* 47 (Stuttgart, 1985).

3. M. Labate and E. Narducci, “Mobilità dei modelli etici e relativismo dei valori: il ‘personaggio’ di Attico,” in A. Giardina and A. Schiavone, *Società romana e produzione schiavistica III: modelli etici*,

diritto e trasformazioni sociali (Rome and Bari, 1981), 127.

4. J. North, "Religion and Politics, from Republic to Principate," *JRS* 76 (1986): 251.

5. The sparse biographical data are collected in M. Schanz and C. Hosius, *Geschichte der römischen Literatur*⁴ I (Munich, 1927), 351–52.

6. See U. Ewins, "The Enfranchisement of Cisalpine Gaul," *Pap. Brit. Sch. Rome* 23 (1955): 73; C. Peyre, *La Cisalpine Gauloise du IIIe au Ie siècle avant J-C* (Paris, 1979). Nepos himself might therefore have gained the Roman citizenship by holding a magistracy (*per magistratum*) or, as any well-placed foreigner might, through a virginitate grant. He would remain none the less an example of the "outsiders" from this region to whom we owe so much of our conception of Rome.

7. Fragments in P. K. Marshall, *Cornelii Nepotis Vitae cum fragmentis* (Teubner, 1977), 101–2. Catullus 1, 5–7: "When you took courage, long ago, you alone of Italians, to set forth the whole history of the world in three volumes, learned volumes, by Jupiter, and laboriously wrought" (Loeb trans.).

8. Compare the discussion by J. Hellegouarc'h, *Le vocabulaire latin des relations et des partis politiques dans la République*² (Paris, 1972), esp. 397–411.

9. N. Horsfall, "Some Problems in the 'Laudatio Turiae,'" *Bull. Inst. Cl. Stud.* 30 (1983): 85.

10. See, e.g., C. Nicolet, *L'ordre équestre à l'époque républicaine* I (Paris, 1966), 434–35.

11. For the functions of *equites* under Augustus, and their predominantly military character, see esp. C. Nicolet, "Augustus, Government and the Propertied Classes," in F. Millar and E. Segal, eds., *Caesar Augustus: Seven Aspects* (Oxford, 1984), 89.

12. This passage is not taken into account in *P-W*, s.v. "Legatus," xii (1925), cols. 1141–3. Note however B. Schleussner, *Die Legaten der römischen Republik* (Munich, 1978), 154, noting the parallel provided by Diodorus, 37.8.1.

13. See esp. T. P. Wiseman, *New Men in the Roman Senate, 139 B.C.–A.D. 14* (Oxford, 1971).

14. For a good account of this, T. Mitchell, *Cicero: The Ascending Years* (New Haven, 1979).

15. Most editors read "(M.) Servio, fratri Sulpicii." But see H. Mattingly, *Athenaeum* 53 (1975): 265, and n. 14 in favour of retaining

the reading of the Leiden manuscript: "M. Servilio fratri Sulpicii."

16. P. A. Brunt, "Nobilitas and Novitas," *JRS* 72 (1982): 1.

17. Broughton, *MRR* I, 290 (Sex. Iulius Caesar, praetor in 208); 418 (P. Marcius Rex, *legatus* in 171); 471 (Q. Marcius Rex, praetor in 144).

18. See esp. T. P. Wiseman, "Legendary Genealogies in Late-Republican Rome," *G&R* 21 (1974): 153, now reprinted in his *Roman Studies, Literary and Historical* (Liverpool, 1987), 207.

19. On the transformation of the Forum, see P. Zanker, *Forum Romanum: die Neugestaltung durch Augustus* (Tübingen, 1972), and now of course the major re-examination by F. Coarelli, *Il Foro Romano II: periodo repubblicano e augusteo* (Rome, 1985), esp. 258–59; his reconstruction of the placing of the *Fasti* is followed here.

20. On the progressive monopolization of public honour by the Imperial family, see esp. W. Eck, "Senatorial Self-Representation: Developments in the Augustan Period," in Millar and Segal (n. 11), 129.

21. For the details, see *P-W*, Supp. VI (1935), cols. 1227–9; Rawson (n. 1), 198–99; 230–31. If we knew what Varro's "literary picture-gallery" was (Cicero, *Att.* 16, 11, 3), we might have to conclude that some version of the *Hebdomades* or *De imaginibus* was in circulation in 44 B.C.

22. On this P. Zanker, *Forum Augustum: das Bildprogramm* (Tübingen, 1968); J. C. Anderson, *The Historical Topography of the Imperial Fora*, *Collection Latomus* 182 (Brussels, 1984), chap. 2. For the *elogia*, the standard edition by A. Degrassi, *Inscriptiones Italiae* XII.3: *Elogia* (1937), with S. R. Tufti, "Frammenti delle statue dei summi viri nel Foro di Augusto," *Dial. di Arch.* 3 (1981): 69.

23. Livy, 4, 19–20, with the invaluable comments of R. M. Ogilvie, *Commentary on Livy Books 1–5* (Oxford, 1965).

24. R. Syme, "Imperator Caesar: A Study in Nomenclature," *Historia* 7 (1958): 172 = *Roman Papers* I (Oxford, 1979), 361.

CHAPTER EIGHT

The Last Century of the Republic: Whose History ?



Intellectual Approaches

Any reader of this massive volume would be justified in feeling a mixture of emotions: for a start, amazement, admiration, and perplexity. Firstly amazement at the sheer scale of the publishing, editing, and writing involved. Then admiration: the whole enterprise is an extraordinary tribute to the devotion to learning and education on the part of the academic profession; neither on the part of the editors nor of the contributors could the expenditure of so much effort (and thereby its diversion from other activities) be explained by the (very modest) prospect of monetary gain.

But perplexity too is appropriate. For whether this self-sacrifice is as much a sign of wisdom as of virtue is a more complex question. From the beginning, the very notion of the massive, multi-author, “authoritative” *Cambridge History* has been open to obvious fundamental objections: that any “representation” of the past constitutes a personal point of view, bounded, if not precisely determined, by time and circumstance; that this essential starting point is not altered, but its relevance is simply confused, when reality is divided up by a committee and allotted to different authors; and that the contributor is, inevitably, stretched uneasily between his or her own vision of what matters, and of how the field in question should be interpreted, on the one hand, and the prescriptions of the editors, on the other.

In fact, neither this volume nor the new edition of the *CAH* as a whole can be seen as professedly and explicitly the mouthpiece of a group with an ideological message about how we should approach the complex business of understanding the ancient world. Implicitly, however, it is rather curious to observe, it seems rather to represent traditional “ancient history,” structured round ancient narrative sources, of a type which seems to have no relationship at all to the “Cambridge” style of self-conscious critical analysis of what we are about which was fostered by the late M. I. Finley. What has actually been produced, I observe quite without satisfaction, is closer to being

an “Oxford” Ancient History than a “Cambridge” one.

Even if a *CAH* volume has no explicit methodological or philosophical programme of its own, should its contents none the less be structured so as to enter into explicit dialogue with modern interpretations, naming the authors concerned, and overtly discussing the propositions they have put forward? This is done here to a limited degree, but the overall *tendency* is merely to present each individual author’s version, often essentially a narrative, and to relegate reference to other modern writers to a footnote, which itself embodies a reference to the bibliography at the end (efficiently organised into sections). This procedure is consistent, and carried out in an economical way. But it hardly brings the reader, especially the student reader, into any real relationship with modern views and debates.

More serious, to my mind, is the very slight use made overall of explicit quotation and discussion of ancient texts, whether literary or documentary. Ancient texts appear predominantly as footnote references, not as items embodying the representation of present circumstances or past events, which themselves require discussion and interpretation. Naturally, practicalities prevent this being done on every occasion. But the effect is both to suggest that narrated “facts” are unproblematic, and to limit the student’s direct acquaintance with the diverse materials out of which we construct “our” ancient world.

Even leaving aside these fundamental problems of theory, approach, and method, the editors of every volume in such a series confront difficult questions of principle. Is the series to be conceived of as a whole, so that the reader will need to read across, or forward and back, from one volume to another? It is an equally insoluble question, when the material is divided up into short chronological sections, to know which geographical areas should be considered on a regional basis, and how that treatment should be distributed. Thus, for instance, early Hellenistic Sicily benefits from a chapter on Agathocles in volume VII.1, 384ff., but then vanishes altogether from VII.2, except for a narrative chapter on Pyrrhus (456ff.); it appears only in passing in VIII, and gets two and a half pages (25–27) to itself in the volume under review, surfacing later in connection with Verres and provincial government. The student reader of the *Verrines* could thus not find anywhere in *CAH*² a coherent presentation of the geographical, historical, and social context in which Verres had been functioning.

To presume on a discussion to which I will return later, this volume

could only have been given coherence by a focus on Rome, and not every related region could have been given separate treatment. But it does seem a major lack that the heart of the late Hellenistic world, namely Greece, the Aegean, and western Asia Minor, appears only as the battleground for Roman or Mithridatic armies (there is a splendid chapter by J. G. F. Hind on the latter, as also an excellent one by the late A. N. Sherwin-White on “Lucullus, Pompey and the East”).

Given the priority allotted, as a quite reasonable choice, to Graeco-Roman culture within “ancient history” as *CAH* conceives it, the Aegean and its periphery were essential both in economic and social terms, and as the immediate source of Hellenism in Italy and Rome. Its omission as a topic thus obscures even Athens itself (see now Chr. Habicht, *Athen in hellenistischer Zeit, Gesammelte Aufsätze* [1994]), not to speak of Delos (see F. Coarelli et al., *Delo e l'Italia* [1983]) or Rhodes, not merely a cultural centre, but still a major independent naval power, as it appears in the Roman law on the eastern provinces of 101/0 B.C.; its history is discussed by R. M. Berthold, *Rhodes in the Hellenistic Age* (1984).

One effect of this omission is that nowhere in *CAH*² IX is there a view of the world of the main late Hellenistic cities as such, nor of the illuminating viewpoints which, through a large number of inscriptions, they provide on the evolving Roman Empire. We are left with the wonderful, and so far unchallenged, account by Rostovtzeff in the last part of his *Social and Economic History of the Hellenistic World*. For the inland part of Asia Minor, dominated by the Galatae, we now have also the major work of Stephen Mitchell, *Anatolia I* (1993), which is essential for understanding the Roman impact, and the process of province formation.

Important formal questions also remain obscure, such as the conditions, meaning, and extent of freedom (*libertas*) as enjoyed by Greek cities. See, for example, R. Bernhardt, *Polis und römische Herrschaft* (1988), or J.-L. Ferrary, “Le statut des cités libres dans l’Empire romain à la lumière des inscriptions de Claros,” *CRAI* (1991): 557. The reference is to the two extraordinarily rich honorific inscriptions published by L. and J. Robert, *Claros I: décrets hellénistiques* (1989), which illustrate the complex way in which local notables managed the relations between their cities and Rome. It is one inevitable penalty of the huge task of bringing such a massive volume into existence that neither these texts nor the vast Greek inscription from Ephesos, *Epigraphica Anatolica* 14 (1989), with

provisions for tolls (*portoria*), dating from the 60s B.C. onwards, have found a place in it (except the latter, in a footnote on p. 35).

Similar, but worse, problems affect the history of the Jews in the Hellenistic period, which is not treated at all in *CAH*² VII.1. The fundamental topic of the impact of Hellenism on Judaism before the Maccabees, the subject of major modern works, such as Victor Tscherikover, *Hellenistic Civilisation and the Jews* (1959), Martin Hengel, *Judentum und Hellenismus* (1969; trans. as *Judaism and Hellenism*, 1974), and the late Elias Bickerman's posthumous *The Jews in the Greek Age* (1988), is thus tackled nowhere in *CAH*². Tessa Rajak's excellent chapter in this volume (274ff.) on "The Jews under Hasmonean rule," intended for a period beginning in 146 B.C., can only pick up the Maccabean revolution, one of the few unquestionable "turning points" in human history, after it is already under way.

Rome and "The Romans"

The question of what the intended subject of a *CAH* volume on republican Rome should be is emphasized still more by the existence of another *Cambridge History*, the *Cambridge History of Classical Literature* II: *Latin Literature* (1982). Rather typically of an older attitude, "literature" is conceived of there as something which happens within the texts of individual works by well-known authors. There is nothing whatsoever in it which renders superfluous the splendid chapter in *CAH*² IX, 689ff., by Miriam Griffin on "The Intellectual Developments of the Ciceronian Age."

Unfortunately, the two projects between them still leave unfilled two enormous gaps, which come close to rendering the Latin-speaking culture, society, and politics of the period empty and unintelligible. Firstly, nobody can dispute that the dominant form of public "literary" expression in the period was oratory. Without some systematic discussion of the shape and content of speeches, as well as of their public contexts and audiences—the Senate, public meetings, popular and permanent courts (*contiones*, *iudicia populi*, and *quaestiones*), not to speak of the repetition of comparable contexts in towns outside Rome—we can hardly conceive of what being a "Roman" meant in the late Republic. Some aspects of this are covered in the massive volume by J.-M. David, *Le patronat judiciaire au dernier siècle de la République romaine* (1992).

More problematic still is the absence from either volume of any attempt even to pose the problem of the "Latinization" of Italian

culture. “Romanization” is important enough on the political (and military) plane, of which more later, and the absence from *CAH*² IX of post-Social War Italy is more than unfortunate. But the *Latinization* of the culture of Italy, and with it the focusing of creative literary effort on Roman society and Roman tradition, is a more important, and difficult, question. Somehow, any meaningful account of “Rome” must pose the problems of why it was not only Latin, but expressly “Roman” literature which was to be written by Catullus from Verona, Virgil from Mantua, Livy from Patavium, and Horace from Venusia, all born in the period covered by this volume, as well as by Ovid from Sulmo, born in the year of its terminal point, 43 B.C. The “Republican Rome” which we can know is very largely the Rome which they constructed for us. Their testimony rivals that of Cicero from Arpinum, who came from within the somewhat longer established zone of Roman citizens (Arpinum had gained the full Roman citizenship eighty-two years before Cicero’s birth, in 188 B.C.), and is followed later by that of Greek-speaking Roman citizens of the imperial period, Plutarch, Appian, and Cassius Dio.

This missing problem simply serves to emphasise the wider problem which makes republican history so deceptively difficult: who, or what community, or communities, ought to be the subject of the history of late republican “Rome”? It is time to turn, all too belatedly, to the years 146–43 B.C.

It follows from all that is said that I accept the practical and logical impossibility of finding a perfect structure within which to incorporate the material. Whatever choice is made, some meaningful and significant viewpoints will be lost. It was, therefore, wholly defensible to take “Roman” history as the focus of this volume, and to treat coherently only some of the areas on which the Empire progressively impinged (note also a fair shot at the very difficult and not very well documented topic of late Ptolemaic Egypt, chapter 8c, covering however a mere eighteen pages). As it happens, however, all the non-Roman zones or topics treated are eastern (Mithridates, Egypt, the Jews). Africa, Spain, and Europe thus play a role only in the survey in chapter 2 on “The Roman Empire and Its Problems in the Late Second Century,” or as and when the narrative reaches them. For a global view of the interaction between Rome and a variety of societies and cultures, *CAH*² IX cannot compare with C. Nicolet, ed., *Rome et la conquête du monde méditerranéen II. Genèse d’un empire* (1978). If one western region (other than Sicily) deserved to be picked out, it was

surely Gallia Transalpina, the subject of much debate and detailed work in recent years; see now E. Hermon, *Rome et la Gaule Transalpine avant César, 125–59 B.C.* (1993).

The shape which the volume actually takes is first a chapter on the crisis of the Republic and on sources; then the previously mentioned chapter on the second-century Empire and its problems; then a long section of over 400 pages which is essentially political-military narrative, with the three eastern sections interspersed. The final section, of nearly 300 pages, takes a number of separate themes: the constitution and public criminal law (largely on the permanent courts); Roman private law; the administration of the Empire; economy and society (an extremely stimulating section by Claude Nicolet, explicitly designed to raise wider questions); the city of Rome and the urban plebs, by Nicholas Purcell, of which more later; intellectual developments (the first-class chapter by Miriam Griffin); religion, by Mary Beard; and finally an epilogue, by the three editors.

It will quickly be seen that no one could reasonably complain of the richness or quality of the material offered. There is an infinite range of themes which could be discussed, so I will select just three: “the Senate”; the mass of Roman citizens, in Rome itself, in Italy, and (increasingly) in the provinces; and the role of the provincial populations in the military structure of the Empire.

Being a Senator in the Late Republic

Richard Saller, reviewing volume VIII in *JRS* 81 (1991), rightly commended the serious attempt by the late Alan Astin to discuss the basic features of Roman political life (VIII, 163–96). Andrew Lintott, in a helpful and clear, if fairly brief, initial section of this volume (40–53), does likewise. Yet, it seems to me, we need to start further back, and to look much more carefully at the social context of the functions of a senator. Surprising as it may seem, given the centrality of the topic, there is actually much about “the Senate” of the Republic which still calls out for examination and clarification. Polybius, as we all know, defined the Senate as the “aristocratic element” of the Roman mixed constitution. But does that mean essentially a role defined by achievement, personal prominence, and office-holding, or by descent? (To say, as some have, that all office-holders were by definition “aristocrats” is circular.) Many problems arise. What was a *gens*, or a *familia*? How many patrician *familiae* (*gentes*?) were there in 146–43 B.C., and what was the significance of belonging to one? What

proportion of the 300 and then (after Sulla) 600 members of the Senate really did descend from previous holders of curule office, with or without a break of one or more generations? The question partly, but only partly, depends on the late republican informal usage of the terms *nobiles* and *novi* (literally “new men”), re-opened by P. A. Brunt in *JRS* 72 (1982): 1. Equally important, and not yet absorbed by republican historians, is the nuanced treatment by K. Hopkins and G. P. Burton in chapter 2 of *Death and Renewal* (1983), looking (for once) at *all* grades of senatorial office (or senate-related, like the twenty-four annually elected military tribunes). We must at all costs distinguish occupation of the *consulship*, which E. Badian in “The Consuls, 179–49 BC,” *Chiron* 20 (1990): 371, has confirmed as having been very heavily influenced by “noble” descent, from that of the wider range of less prestigious public offices. Should we really see all of the 100 tribunes of the plebs, or the 200 quaestors, of the 60s as part of an aristocracy of birth?

The question of how much we really know of the long-term history of “senatorial” families (*gentes*? *familiae*?) is radically confused in this period by the invention of family histories (and retrojection of cognomina) by the Romans themselves. It will be enough to refer to the fundamental article by Peter Wiseman, “Legendary Genealogies in Late-Republican Rome,” *Greece and Rome* 21 (1974): 153 = *Roman Studies, Literary and Historical* (1987), 207, with further material in O. Wikander, “Senators and Equites v. Ancestral Pride and Genealogical Studies in Late Republican Rome,” *Opuscula Romana* 19 (1993): 77. This very emphasis on ancestors, expressed through household portraits (*imagines*), on coins minted from the 130s onwards, and in literary reconstructions, as by Atticus (Nepos, *Atticus*, 18, 2–6), of course itself confirms that descent was regarded as important. But how significant was the availability of “noble” ancestors for that large majority of holders of public elected office, and consequently senators, who never held the consulship? The modern emphasis on the consulship, as the key to “politics,” is in any case rendered problematic by the fact that it was only after Sulla, in the first period which we know well from contemporary evidence, that consuls tended to stay in Rome for most of their year of office before going to their provinces. As we know from J. P. V. D. Balsdon, “Consular Provinces under the Late Republic,” *JRS* 29 (1939): 57, and A. Giovannini, *Consulare Imperium* (1983), the consuls’ provinces were already allotted during their year of office, and they could (it seems) go off to them when they wished. But they did in fact tend to stay in Rome, and

thus to function as politicians, thus marking a vast change as against the earlier and middle Republic, when consuls (like the *strategoi* of fifth-century democratic Athens) were in essence elected generals (*imperatores*) who left Rome soon after taking up office.

Oddly enough, neither in CAH² VIII nor in IX is there any real discussion of the evolving “senatorial” *cursus*, and the pattern of a senator’s public military/civilian office-holding over an adult life-time. Nor is there (for instance) any discussion that I can find of the role of the lot (*sortitio*) in allocating provinces. Yet it was the lot which had given Macedonia to Flamininus as consul of 198, and also the lot (Appian, *BC* I.55/241) which had given Sulla the command against Mithridates, before tribunician intervention temporarily overrode it. Volume IX also misses the significant formal change which also seems to go back to Sulla, namely that praetors now underwent a double sortition, one for an urban function during their year in office, and a second one for a provincial command. The sequence is clearly attested for Verres: see *Verr.* II 1, 104: “he obtained the urban province by lot” (i.e., became urban praetor); and II 2, 17: “the province of Sicily fell to him by lot.” There are also wider issues of social structure which ought to be examined, precisely as a way of *not* taking the notion of “the Senate” for granted. Was the wealth which was a prerequisite for being an elected magistrate, and hence (by censorial enrolment until Sulla) a senator, always predominantly derived from agricultural properties? If so, how should we envisage the typical pattern of the geographical distribution of a senator’s landed properties? What about urban properties (in Rome or elsewhere)? Or semi-industrial production (pottery, bricks) from landed properties? Or income from commercial activities?

Where in Rome did senators live, and what were their houses like? How large a household did each maintain? These questions are not antiquarian, or part only of “social history.” For one of the fundamentals of “government” in republican Rome was precisely that there were, apart from the Senate house (*Curia*) itself, almost no “government buildings.” A senator’s house functioned as his political base, both in the sense that large numbers of people were received there, and in that he proceeded ceremonially from there, escorted by followers, to go down to the Forum and Curia. Many, but clearly not all, would literally “go down” the Via Sacra, because they lived, like Cicero, on the northern slopes of the Palatine, in the area of substantial houses, aligned along a major drainage system of the

archaic period, partly excavated recently by Andrea Carandini. The symbolic importance of the aristocratic house (*domus*), its positioning and architectural character, simply cannot be left out of any account of what “being a senator” amounted to. See now E. M. Steinby, ed., *Lexicon Topographicum Urbis Romae* II (1995), with hundreds of entries under “domus.”

The spatial distribution of the *domus* of senators is a significant question, as is the configuration and forms of occupation of the *domus* themselves. Exactly parallel issues arise with the meeting places of the Senate, not only the Curia Hostilia in its exposed location on the edge of the Forum, but a variety of other *templa* (places formally rendered sacred by inauguration), for example, those of Concordia, Iuppiter Stator, and Bellona. The relations of these buildings to their urban contexts, and their size and internal configuration (how many persons could actually get into the temple of Concordia on its narrow ledge below the Capitol?), are also important questions if we are to envisage realistically how “public life” really worked (see M. Bonnefond-Coudry, *Le sénat de la république romaine* [1989]).

In terms of wider social relations, whether lateral, as between (approximate) social equals, or vertical, towards *clientes* or other protégés or followers, everything has been thrown into an entirely beneficial state of confusion by the two fundamental chapters in P. A. Brunt’s *The Fall of the Roman Republic* (1988), namely chapter 9, “Factions,” and chapter 8 “*Clientela*.” Students of the late Republic have hardly begun to absorb the effects of these demonstrations that our evidence does not allow us to say that *either* lateral connections or vertical forms of dependence can legitimately be deployed to explain political behaviour and political developments. Once more, we need to start all over again. Brunt’s major work is, of course, alluded to in CAH² IX (whose bibliography contains items up to 1990), but the fundamental nature of the problem of how to understand Roman politics is hardly brought out.

One way to approach the issue is to look at forms of personal and social influence as they appear in contemporary evidence, above all in the letters of Cicero. That task has been carried out now by Éliane Deniaux, *Clientèles et pouvoir à l’époque de Cicéron* (1993), an exemplary study of Cicero’s letters of recommendation (and, like the book by Bonnefond-Coudry, a *thèse* supervised by Claude Nicolet). It shows that written interventions in favour of either communities or individuals played an immensely important role in the functioning of

the *res publica*—but does nothing (and could have done nothing) to support the quite misleading notion that mass voting by *clientes* ever affected the making of decisions, that is to say, the passing of laws by the assemblies.

Instead, far more space needs to be given to the operation of magnificence and largess (*magnificentia* and *munificentia*) directed to the people at large, in the form of votive games, gladiatorial shows, buildings, dinners, or distributions of benefits in cash or kind. But that topic would take us to the wider, and extremely difficult, problem of what the Roman people was.

The Urban Plebs and the Roman People

If we start, as *CAH*² IX does, from political history, the first and most important thing that the Roman people “was” was whoever turned up at public meetings, or to meetings of the tribal assembly, in the Forum Romanum. The configuration of this primary public space is thus the first thing that needs to be understood. Which is another way of saying that F. Coarelli’s *Il foro romano* I–II (1983–85) is not an antiquarian or archaeological *adjunct* to the history of the Republic, but the context from which everything has to start. For, if we are to explain anything, we have to begin from the proposition that, with the exception of meetings of the Senate, everything happened out of doors, “under the eyes of the Roman people” (*sub conspectu populi Romani*), and nearly everything happened in this particular space—public meetings, assemblies, (except for elections, now held in the Campus Martius), triumphal processions, the procession (going in the opposite direction) to the Roman Games in the Circus Maximus, permanent courts, theatrical performances (sometimes in elaborate temporary theatres), gladiatorial shows, funeral orations from the Rostra. In *CAH*² IX Peter Wiseman’s remarkable narrative of the politics of the 60s and 50s is indeed, as one would expect, imbued through and through with a consciousness of the urban context (displayed on a modest sketch-map on p. 370). Furthermore, the wider social context of the city is evoked, in vivid and highly original style, by Nicholas Purcell in chapter 17, “Rome and the Plebs Urbana.” There is too much here to comment on, or even (as yet) to absorb. But somehow a sense of the city, and its vast population, as of the Forum as an open-air political stage (evoked perhaps more vividly in the *Verrines* or the *Brutus* than anywhere else) belongs earlier, perhaps indeed (or also) in volume VIII. To give only one example, it is hardly

meaningful to record the “imprisoning” of the consuls by the tribunes of the plebs, if the reader does not already know that it was about forty metres from the Curia and Comitium to the Carcer, and that this was a symbolic gesture played out before the crowd in the Forum.

Belatedly or otherwise, however, the city and its population come alive in Nicholas Purcell’s chapter as never before. But the urban plebs was not the whole Roman people, even before the Social War. It is, however, very important that, of the nearly 1 million Roman citizens who finally get themselves registered in 70 B.C., up to 320,000 (the maximum figure recorded) lived *either* in Rome *or* near enough to collect Clodius’ ration of free corn in the years after 58 B.C. Thus, in spite of vast expansion, before and especially after the Social War, a huge population, and a very substantial proportion of citizens, always lived within a shortish distance from the political centre.

Beyond that, however, if what we are trying to write is first of all a history of “the Romans,” we surely ought to give a prominent place to the formal structure of the integration of the Roman citizen in the *res publica*, as voter and soldier, an integration achieved primarily by the census. Perhaps equally important to explain, especially for the student reader, is (once again) the spatial configuration of Roman citizens in Italy, firstly before the Social War, when, apart from Rome and its surrounding area, they occupied primarily two broad zones, of which one stretched south-east into Campania, and the other more or less due north, diagonally across Italy, to the Adriatic. This area included many long-established, internally self-governing communities (*civitates*), such as Arpinum; but its primary importance was that its people (the adult males) belonged to Roman tribes, were enrolled by the censors, had the right (in principle) to vote in Rome, and (above all) were recruited directly into the Roman legions. This vast politico-social structure, already an uneasy combination of a nuclear city-state and an extended nation-state, does need to be *explained* before anything at all is intelligible in the history of the later Republic. So also do the other two major elements of “Roman” Italy. Firstly there were places of Latin status, a combination of ancient communities like Tibur and Praeneste, colonies created by the Latin League before its dissolution in 338 B.C., and post-338 colonies established by Rome, from Aquileia to Brundisium or Vibo Valentia. The failure to find a place for Italy as such in *CAH*² IX, the only fundamental fault of the volume, shows up painfully here. For, to take only one example, Praeneste can show the single most spectacular monument of late

second-century Italy, the temple of Fortuna Primigenia. Equally, four of the Latin colonies have been extensively excavated: Cosa, Alba Fucens, Paestum (the former Greek city of Poseidonia), and Fregellae. See, for general discussions, F. E. Brown, *Cosa: The Making of a Roman Town* (1980); J. R. Mertens, *Alba Fucens* (1981); J. R. Mertens, "Alba Fucens: à l'aube d'une colonie romaine," *Journal of Ancient Topography* 1 (1981): 93; J. G. Pedley, *Paestum: Greeks and Romans in Southern Italy* (1990); F. Coarelli, ed., *Fregellae II: il santuario di Esculapio* (1986).

These Latin colonies shared with the other element, that is, the non-citizen allies, the essential characteristics of self-government on the one hand, and of the obligation to provide, officer, and pay contingents for the Roman army; but they did not pay any tribute in money. "Rome and Italy in the Second Century B.C." had been very well discussed by E. Gabba in *CAH*² VIII, chapter 7, and the theme is taken up again by him, in IX, chapter 4, "Rome and Italy: The Social War." But surely the political *geography* of late second-century Italy needed to be re-surveyed, and a map indicating the different communal statuses provided? Equally, in 776 pages of text on ninety years, published in the 1990s, space should have been found for a survey of the different ethnic groups, cultures, languages, and settlement patterns of Italy before the Social War, from Liguria to Etruria, Umbria, the Samnite or Oscan zone, and the Greek cities, surveyed now by Katherine Lomas, *Rome and the Western Greeks* (1993). There is a growing mass of local inscriptional and archaeological evidence which it would be futile to try to survey here. But, without such an attempt, we miss even Pompeii, whose urban evolution from an Oscan town into its imperial form was analysed recently by Paul Zanker, *Pompeji. Stadtbilder als Spiegel von Gesellschaft und Herrschaftsform* (1988).

The relevance of all this to the Roman state is, of course, that the Social War brought all of Italy (up to the Po?) into the citizenship. Gabba, in his first-class account of the Social War, by far the best available, stresses the progressive military success of the Romans. I would emphasise more their comprehensive political *surrender*, by which they granted almost immediately, in the Lex Iulia of 90, the fundamental principle over which the war had broken out.

The consequences were momentous but remain extremely difficult to discuss in detail. It is therefore here, in the absence of any chapter on post-Social War Italy, or on first-century Cisalpine, that the only

major weakness of *CAH*² IX lies. If we think of progressive integration into the Roman *res publica*, Cisalpina is a particular problem. Was this process of integration fundamentally different north and south of the Po? What happened to the pre-existing Latin colonies (e.g., Cremona, Placentia, Aquileia) after 89 B.C.? In spite of important modern studies, the reviewer must confess to remaining wholly confused. See, however, R. Peyre, *La Cisalpine gauloise du IIIe au Ier siècle avant J.-C.* (1979); R. Chevalier, *La romanisation de la Celtique du Pô* (1983); F. M. Ausbüttel, "Die Eingliederung Oberitaliens in das römische Reich," *Prometheus* 15 (1989): 165; D. Foraboschi, *Lineamenti di storia della Cisalpina Romana. Antropologia di una conquista* (1992).

As for the rest of Italy, immense problems persist and cannot be treated here. It does seem clear at least that, as the Tabula Heracleensis shows (ll. 142–56), the census of Roman citizens in Italy was now conducted in their local community (*municipium*, *colonia*, or *praefectura*), and the details then delivered by delegates (*legati*) to the censors in Rome. Secondly, as a consequence of the citizenship, all now served in the legions (legionary service—for instance, as a qualification for local office—is also one of the recurrent presuppositions of the Tabula Heracleensis). What we can, and cannot, know of these and other fundamental changes in the life of Italian communities, and of their relation to the political centre, should have formed a major chapter of *CAH*² IX. As it is, at least we can be certain that the ending of the obligation to organise, officer, and pay their own contingents must have represented a fundamental change in the life of both the Latin colonies and the allied communities of Italy. The integration into the Roman legions of those of their young men who were recruited must also have been a major social change, with considerable long-term consequences. Post-Social War Italy still awaits a comprehensive historical treatment. Curiously enough, this is not provided either in the other major, multi-volume, multi-author series which is being published in parallel with the Roman volume of *CAH*², the *Storia di Roma*. Volume II of this series, *L'impero mediterraneo I: La repubblica imperiale* (1990), which covers the period from the fourth century to Actium in 965 pages of text, gives only a few pages (706–10) to "L'Italia dopo la guerra sociale," with a few more pages later (831–43) on "Sistemazioni urbane in Italia tra II e I secolo."

Provincial Allies and Roman Military Power

The regular calling-up of contingents of Italian allies, on the basis of the *formula togatorum* (the list of males of military age), had been one of the bases of Roman military power before the Social War, just as direct recruitment of Italians into the legions was after it. But was the basis of Rome's overseas empire fundamentally different, structured instead on direct and indirect taxation in cash or kind? Clearly the imposition of taxation, and the consequent inflow of revenues to Rome (but not to the allied communities of Italy) was crucial. But what Cicero writes in the *Verrines* about one of the many areas of Verres' malpractice suggests explicitly that we should not make too radical a distinction between Italy and provinces (*Verr. II* 5, 60):

Each *civitas* [in Sicily] had always been accustomed to entrust to a naval commander of its own all the funds for its fleet, for supplies, pay, and everything else. . . . That was, as I say, always the established practice, not only in Sicily but in all provinces, also as regards the pay and expenditure of the [Italian] allies and the Latins, in the period when we used to make use of their forces.

Verres, however, had demanded that all these sums should first be handed over to himself, and then dispensed by him to whomsoever he chose. What is important for us is, firstly, the close comparison made between pre-Social War Italy and the provinces and, secondly, the general nature of Cicero's account, which explicitly relates to all provinces, and does not seem to take into account differences of status between communities which were free or had a treaty, or were merely tribute-paying. In *CAH*² IX Rome's late republican Empire is in general very well treated, first in Andrew Lintott's excellent overview in chapter 2, "The Roman Empire and Its Problems in the Late Second Century"; for a further treatment we can turn now to his *Imperium Romanum: Politics and Administration* (1993). Then, in the second, thematic, half of the volume, there is chapter 15 by J. S. Richardson, "The Administration of the Empire." But in general, given that we are talking of a major period of conflict and conquest, not to speak of great civil wars in the 80s and 40s, even the strictly "Roman" army plays a relatively small part—no systematic part at all indeed, after four pages (36–39) devoted to "Military Strength and the Empire" in the later second century. Equally, the question of the large proportion of the "Roman" army made up of contingents from the Italian allies is not prominent. It is thus not surprising, though it is regrettable, that the quite difficult and obscure question of the basis on which Cicero made his generalisation is not really broached at all. Cicero had, at

least on the face of it, been talking about naval contingents, as he does elsewhere in the *Verrines* in recording Verres' outrageous behaviour when, as a legate in Asia Minor in 80/79, he sold off a ship (a *myoparos*) supplied by Miletus, while its soldiers and oarsmen were told to make their own way home. This vessel counted as part of the navy of the Roman people, and was one of ten ships built by the people of Miletus from its own resources for the Roman people (*Verr. II* 1, 86–90). Similar obligations applied, it seems clear, to land forces. Hence we have the very explicit indication in the decree from Lete in Macedonia of 119 B.C. in honour of the quaestor, M. Annius, that it was a benefaction on his part not to have called out more soldiers from the Makedones to confront a Celtic invasion, in order to spare the cities (*Syll.*³, no. 700, ll. 23–25). The same right to call out troops clearly applied also in the western provinces. Hence Cicero says of Fonteius as propraetor of Gallia in 74–72 that “as for those (Gauls) who had often been conquered in great wars, so that they were personally obedient to the Roman people, he required of them great forces of cavalry for all those wars which were then being waged throughout the world by the Roman people, great sums of money for their pay, and a very large quantity of grain for the support of the war in Spain” (*Font.* 13).

There is no need to pursue the question here. To understand what being under Roman power meant, however, it would be important to know what distinctions, if any, we should draw in this respect, between ordinary, tribute-paying provincial communities on the one hand, or free cities, or ones with a treaty, whether lying within or outside the geographical bounds of a province on the other. Royal forces, very prominent in the civil wars, are also relevant. Is the despatch of a contingent by Aphrodisias to help Oppius in Laodicea in 88 B.C. (Reynolds, *Aphrodisias and Rome*, nos. 2–3) to be seen as the voluntary gesture of an ally, or the obligation of a subject? Such forms of recruitment became particularly important in the large-scale civil wars which Romans fought, largely on provincial territory, in the 40s and 30s. Moreover, as is clear, the regular Roman auxiliary forces of the Principate go back to these provincial auxiliaries of the later Republic; see D. B. Saddington, *The Development of the Roman Auxiliary Forces from Caesar to Vespasian* (49 B.C.–A.D. 79) (1982). Since these later auxiliary forces come into view precisely by virtue of the discharge certificates (*diplomata*) which gave them the citizenship on discharge, the republican provincial auxiliaries do belong also, in the longer term, to the history of Roman citizens.

Conclusions

CAH² IX, for all its very high intellectual level, and the coherence and sense of purpose with which it had been designed and edited, still makes a somewhat old-fashioned impression. For that, there seem to me to be three reasons. One is that the last few decades have perhaps not been as creative in the history of this period as they have for other periods and areas of the ancient world. Another is that, as indicated already, too large a proportion of the volume has been devoted to year-by-year political-military narrative. “Events,” of course, cannot be avoided, and the notion that there ever was a (more or less) timeless world of peasants to which politics and wars were irrelevant, might have seemed extremely odd to the hundreds of thousands of peasants who found themselves, in the later Republic, with their villages assaulted by Roman or other armies, subjected to new governmental systems, recruited into armies, taken away by pirates, or sold into slavery. But to say that rapid change is fundamental to the period does not really mean that even the most subtle and perceptive of narratives really has to take up so much of the volume.

Secondly, it surely would be possible now to broaden the basis of what we take to be the subject: to the social and spatial context of the “aristocratic” *familia* and its *domus* (and this, surely, would have been the place for considerations of marriage and property, slavery and manumission); to the voters meeting in the Forum or the Campus Martius; to the urban plebs of the metropolis (a broadening which is achieved here); to the Roman, Latin, and allied communities of pre-Social War Italy, and to the now (in principle) Roman-citizen communities of post-Social War Italy; to the Roman armies; to the provincial populations; and to all those groups, not yet ruled by Rome, on whom Roman power, sometimes divided against itself, made so great an impact. We do after all have many different view-points on this rapidly changing world. Not least of these is Diodorus, who not only gives the fullest, almost contemporary, account of the slave wars and the Social War, but happened to be in Egypt in 60–59 B.C. when Ptolemy Auletes was seeking recognition from Rome, and every effort was being made to seek Roman favour. But a visiting Roman accidentally killed a cat, and nothing that royal agents could do could prevent his being lynched by the mob (Diodorus 1, 83, 8–9). This minor incident might serve to symbolize the instability of social and political relations in the Mediterranean area under the growing pressure of Roman power, and the complexity of the history which we

might one day be in a position to write.

NOTES

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CHAPTER NINE

The Mediterranean and the Roman Revolution: Politics, War, and the Economy



If we want to understand the violent history of the late Roman Republic, which in a few decades saw both a vast extension of Roman conquest and the establishment of monarchy by Augustus, we might begin with an anecdote told by Plutarch about Julius Caesar.¹ As he was passing a tiny barbarian village in the Alps, one of his companions said, “Is it possible that here too there are rivalries for office, competitions for honours, and jealousies of each other on the part of the leading men?” Caesar replied, “I would rather be first among these people than second among the Romans.” This story may be apocryphal; but whether it is or not, it well reflects the spiralling competition which in the end destroyed the rules for the sharing and limitation of power at Rome, and with them the Republic itself. The story of that destruction is familiar, not least from Syme’s *The Roman Revolution*. But it also gives us a partial and momentary glimpse of the wider context, made up of a vast range of local communities, within which that competition took place; modern estimates tend to put the population of the early Roman Empire at something like 50 million people.²

What consequences did Roman political history have for the populations of the different regions? Suppose, for example, that we ask ourselves not about Caesar and his rivals but about those Alpine villagers. At the time to which the anecdote relates the Alpine passes from Italy into Gaul are reported to have been dangerous and unsecured. Merchants and even Roman armies travelling over them had to pay high tolls to the mountain peoples, and Caesar’s efforts to change that had no lasting effect.³ Yet, by contrast, Vitruvius happens to preserve an instance of how Caesar’s operations did serve to integrate one mountain village into a wider economy. One year when he was operating in the foothills of the Alps—probably the eastern Alps, between Aquileia and Virunum—Caesar ordered the local communities to provide supplies. One fortified village (*castellum*) refused and was besieged. Attempts to burn down its wooden towers totally failed, demonstrating the properties of the larchwood of which

they were built. In consequence the village earned not only the Latin name “Larignum” but also a trade in larchwood, which by Augustus’ time was in use in the towns along the Po and down the coast southwards to Ravenna, Ariminum, Pisaurum, and Fanum.⁴

By contrast, the Salassi of the Val d’Aosta were finally “integrated” by military defeat in 25 B.C.; 8,000 combatants and 36,000 non-combatants were sold as slaves, while a Roman colony was established at Aosta.⁵ In this case the intervention of the Roman state was drastic and decisive. Elsewhere it might be more partial, indirect, and indecisive—partial in both senses, for Caesar soon learned in Gaul that the barbarian or semi-barbarian peoples of the west could go in for faction fights just as savage as those at Rome, and he intervened repeatedly in them himself. The same was true in the Alpine area itself. In 49 B.C. Cicero’s friend Caelius wearily reported from somewhere in northern Italy that a garrison commander serving in Pompey’s forces in the Maritime Alps had been bribed by one faction among the Intimilii to murder a lord leader there named Comitius, who was a former host of Caesar. The people of Intimilium had reacted by taking to arms, and Caelius was obliged to set off with some cohorts through the snow to restore order.⁶

The common characteristic of these cases, all from the Alpine region, is that they show an interaction between the activities of the Roman state in the period of conquests and civil wars, and the political or economic life of local communities. The question posed in this article is: can we gain any serious conception of how and in what ways the apparently earth-shaking events of the period from say 88 to 31 B.C. really affected the social and economic life of ordinary people, grouped in their local communities? The answer, which at any serious level is clearly no, is a reflection of the drastic limitations imposed by the restricted volume, and even more restricted nature, of the evidence surviving from the ancient world. All that is possible is to pick out a number of different dimensions or aspects which are in various ways relevant to trying to understand something about the Mediterranean world in the last half century of the Republic. For instance we may pose the following question: if, as many people assume, we should envisage not a Mediterranean-wide economy, of which inter-regional trade was an essential characteristic, but a network of strictly local economies, how profound an effect could political or military events, or the demands of an ancient state, have had on them? Short-term effects, of course. Even our severely political

or military narratives allow us to catch a fleeting glimpse, for instance, of the bakery in Ravenna from which Caesar requisitioned some mules for his journey to the Rubicon in 49 B.C.,⁷ or the druggist's shop in Gomphoi in Thessaly, where the leading citizens of the town committed suicide by taking poison as Pompey gave the place over to be ravaged by his troops in 48 B.C.⁸

Sometimes we catch similar glimpses of long-distance trade, such as the export of figs, evidently dried figs, from Caunus in Caria to Italy in the 50s. We know this only because when Crassus was embarking at Brundisium for his Parthian expedition a man was standing in the harbour calling out "Cauneas, Cauneas!"—which to some observers sounded all too like "Cave ne eas" (Beware lest you go).⁹ Sometimes we gather even less than that: when Caesar's lieutenant Curio was defeated and killed in the civil war in Africa in 49 B.C. his fleet promptly sailed off, and some of his forces, trying to make their escape, begged to be taken on board the merchant ships which were at anchor in the harbour at Utica. But when the ships came inshore that night, some of the ships' boats were overloaded and sank; and as for the soldiers who did get on board, the majority of those who had any money on them were thrown into the sea by the merchants.¹⁰

There the story as we have it stops; it is simply a moment of pathos in Appian's narrative of the civil wars. We hear nothing of the nationality of the merchants, the nature of their cargoes, the size of their ships, or their destination, or destinations. But we do gather something which is quite important. As appears repeatedly in the narratives of this period, the operation of merchant ships between different regions of the Mediterranean is simply presumed as part of the social and economic framework within which military and political conflicts were conducted. Such long-distance trade may have been affected by war and civil war; it certainly did not stop, even in the most immediate areas of conflict. Nor apparently did the day-to-day operations of local inshore fishermen. Or at least, if we want a paradigm of the limited effects of these apparently major conflicts on local economic life, we have it to hand in the splendid anecdote of Sulla and the fishermen of Halae in Greece. When Sulla was in Greece in 84–83, on his way back from Asia to Italy, he went for a cure to Aedeptus in the north of Euboea. When he was walking on the shore there, some fishermen appeared and presented him with a gift of fish. But when he asked where they came from and they replied that they came from Halae, he was furious; for after the victory of Orchomenus

in 86 he had ordered the destruction of the towns of Anthedon, Larymna, and Halae. However, on reflection, he forgave them, and the people of Halae, who evidently had abandoned the actual site of the town, gained the courage to return to it.¹¹ So even where a small town was evacuated or destroyed, the people might continue earning their living almost as if it had not happened.

So should we try the extreme hypothesis that the great conflicts of the six decades down to the battle of Actium in 31 B.C. really made no significant difference at all? That the ordinary world of local communal life, customs, and work just went on unaffected? Again we might use as a paradigm the story which Diodorus tells of his own visit to Egypt in 60 or 59 B.C. about how an Egyptian mob lynched a visiting Roman who had killed a cat.¹²

Egypt was to remain outside direct Roman control until 30 B.C.; and in this case local evidence, in the form of papyri in Greek and Egyptian, might one day make possible a more detailed assessment of whatever changes Roman rule brought about. Here we also have an extra element, the Egyptian monumental and inscriptional evidence—for instance, the remarkable funerary stelae of the high priests of Memphis, which stretch from the third century B.C. into the reign of Augustus, and then seem to stop;¹³ why, it is not clear. But Egypt is one area where we may one day be able to study change—social, economic, religious—over the period of transition.

Elsewhere we are bound to see things very much from the outside. Gaul, for instance, was another place where there was a sudden and irreversible imposition of Roman rule. But again, have we any idea of what this meant for ordinary social and economic life? We can, of course, turn to classical ethnographic or geographical sources—above all, to the descriptive parts of Caesar's *De bello Gallico* and to Strabo's *Geography*. These are of great interest, for it is quite clear that people in Graeco-Roman society in the first century B.C. were conscious of living surrounded by barbarian peoples with different customs, who were none the less slowly coming under external influences.¹⁴ Well-known passages from Diodorus and Caesar, for instance, illustrate the penetration of Italian trade into Gaul before the conquest.¹⁵ Vitruvius also notes the continued use of wooden or thatched roofs in Spain and Gaul, and of straw and earth ones even at Marseilles.¹⁶ Varro, in his dialogue on agriculture set in Rome, makes one of the speakers report that when he had been in command of an army near the Rhine he had observed an entirely non-Mediterranean type of agriculture: no vines,

olives or fruit trees, chalk used as fertilizer, and no salt but a sort of charcoal which was used instead.¹⁷ But even if this is a genuine reminiscence (which is doubtful),¹⁸ it points to a fundamental difficulty. The more specific and concrete, and the more precisely located in space and time a description is, the less it will help us to observe change—or to see whether there were basic changes or not; for that we would need a series of precise reports, descriptions, or documents, which we almost never have. But the more general and systematic such a report is, the less clear it will be whether it is or could have been based on real observation. The geographer Strabo, for instance, repeatedly says that the Gauls have now (under Augustus) given up war and taken to agriculture.¹⁹ That does indeed suggest large changes; but we know both that the Gauls already practised agriculture and that there was a whole series of revolts down to the 20s A.D. So how much is such a generalization worth?

In the case of Gaul, however, we can gain some elements of an answer from archaeology, and especially numismatics. In central Gaul a marked phase of urbanization had been under way since the early first century B.C. The Gallic communities—which Caesar calls *civitates* and which it is misleading to call “tribes”²⁰—minted coins in various combinations of gold, silver, and bronze or tin-copper alloy. In the 50s the minting of precious-metal coinage greatly increased, apparently for the payment of troops. Afterwards gold coins ceased, and silver was greatly reduced. Two explanations are offered: firstly, silver, and even more gold, was soaked up by indemnities paid to Rome after the conquest by Caesar in the 50s; secondly, troops were no longer needed, so precious metal coinage was no longer struck to pay them. In the urbanized central areas Celtic bronze coins, in small denominations, continued to be minted, implying that they were in daily use. But specifically Roman coins are hardly found in the central part of Gaul until the middle of the first century A.D. Where they were in use was in the north-east, where the legions were stationed.²¹

Here at least we have significant evidence, which has however to be interpreted in the light of large-scale hypotheses both about the nature of Roman rule, and the structure of the local communities. We can also see Gallic soldiers, mainly cavalry, serving all over the Mediterranean in the period of the civil wars, in a variety of Roman forces, with Juba I in Africa and notably with Cleopatra; these last were transferred by Octavian to King Herod of Judaea in 30 B.C., and a Gallic unit was still in his service when he died in 4 B.C.²² Again we

cannot tell what effects, if any, this service abroad had on Gallic society; but we do know that even before Caesar, Aquitanians had served in Spain with the dissident Roman governor Sertorius in the 70s B.C., that they had returned home and were available to lead their fellow countrymen in resistance to Caesar's forces in 56.²³ We have clear evidence also of Caesar's interventions in Gallic political life, and his grants of citizenship and other favours to leading Gallic aristocrats, like the two Allobrogan brothers to whom he had given large sums of money and stretches of captured land at home, and had appointed to local offices—and who then deserted to Pompey before the battle of Pharsalus.²⁴ Other families showed a better sense of survival, and the C. Iulius Rufus who dedicated the Roman arch at Saintes in A.D. 19 was the grandson of a man whom Caesar had made a Roman citizen.²⁵ But it still remains completely uncertain what degree of continuity or change in property relations or social structure characterized Gaul after the conquest, even at the level of the richer members of the major *civitates*.²⁶

But even if we could reach some secure generalizations about the upper classes of Gaul, we would have to remember two things. The first is the vast differences of habits and culture between social classes even within the already conquered areas. Varro for instance claims to have observed in barbarian Illyricum (roughly Yugoslavia) how a peasant woman would step aside from work, give birth to a child, and continue with her toil.²⁷ But a few decades earlier Poseidonius had reported being told of just the same thing among workers hired for digging on an estate in Liguria belonging to a friend of his from Massilia.²⁸

These workers in Liguria, whose customs seemed totally foreign or barbarian to their own employer, were at least within a wage-earning economy, receiving a daily wage in cash just like those in many of the New Testament parables; and they were thus linked quite closely to the trans-Mediterranean world of the landowning classes of the Greek cities. The man who paid their wages could be a friend of Poseidonius, the great philosopher from Apamea in Syria, who taught in Rhodes and visited Rome. In that they were unlike the peoples in north-west Spain whom Strabo describes, living on goat meat, acorns, and butter made out of olive oil; Strabo, speaking of these peoples, also gives us one of the earliest descriptions of *couvade*, noting that in this region, when a child was born, the father retired to bed and was looked after by the wife.²⁹ But to come back to the main point, the second thing

we have to remember is that it was not only these mountain peoples in the distant interior of Spain who remained unsubjugated until Augustus' reign. Our convenient maps of the Roman provinces in this period are a polite fiction, for in hilly areas much closer to the coast of the Mediterranean itself there remained free peoples. Even if we ignore those areas like Illyricum where there was an unconquered hinterland,³⁰ there was still brigandage in Corsica and Sicily in Strabo's time, while Diodorus twice asserts that the peoples of central Sardinia had never been conquered by either Carthage or Rome.³¹ That recalls Cicero's famous campaign of 51 B.C., as the Roman governor of Cilicia (southern Turkey), first against the fortified villages of the Amanus, which were captured and burnt, and then against the "free Cilicians" (Eleutherocilices) of Pindenissum "who had never yielded obedience even to the kings"—the Seleucid kings, that is. Those captured at Pindenissum were put on sale, and Cicero reported to Atticus that 120,000 sesterces had been realized from the sale so far.³²

Much modern discussion of the supposed social and economic effects of Roman conquest is dominated by the presupposition of the mass transfer of slaves to Italy. But populations captured in war were sold on the spot, or at least in the same region (like the Salassi, mentioned earlier, who were sold at Eporedia in northern Italy). Some will simply have been ransomed, others sold locally, like the Jews who had been captured by Cassius and were currently in slavery in Tyre, Sidon, Antioch, and Aradus, and whose release Antonius ordered in 42 B.C. Whatever major social effects the wars of this period had, it was not by the direct transfer of whole populations before sale.³³ Those slaves who reached Italy—as, of course, large numbers did—did so via the medium of the slave trade; for instance, we meet one Publicius on his way through Etruria in 83, bringing slaves for sale from Gaul to Rome.³⁴ Whatever the overall economic character of the slave trade—and obviously it involved a net import of slaves into Italy—it was certainly not a simple one of the extraction of value by Rome. For the immediate profits from the sale of captives into slavery were normally made by Roman generals and soldiers wherever they were on campaign; only some of the value thus realized will have reached Rome or Italy. Other profits will have been made by the middlemen who traded in slaves. If these slaves eventually found their way to Italy it will have been by purchase, involving an outflow of cash.

However, even if we see the existence of pockets of unintegrated,

or unsubjected, peoples within the supposedly provincial areas as an indication of the limits of the Roman state's real functions, their villages *might* at any time be captured and burnt, and their populations sold into slavery. To return to the Alpine region once again, we find Decimus Brutus, as proconsul of Cisalpine Gaul (northern Italy) in 43 B.C., writing casually to Cicero, "I have advanced against the Inalpini with my army, not so much seeking the title of Imperator as wishing to satisfy the soldiers. . . . I have captured many fortified villages and devastated many."³⁵

These small-scale internal conquests, like the major external ones of Lucullus, Pompey, and Caesar, were thus one means by which the state, as embodied in an ambitious proconsul, might drastically intervene in a local society and economy, with either temporary or permanent effects. As is obvious, the pace of these interventions accelerated enormously in the course of the first century B.C. At the beginning of the century, indeed, we could well follow Strabo's view that the main economic and social effect of Roman predominance, at least in the eastern Mediterranean, was negative—namely, the weakness of the major Hellenistic powers and the failure to replace them with anything else; piracy and the slave trade thus raged unchecked until substantially ended by Pompey's massive operations in 67 B.C.³⁶ In the early first century B.C., after all, Rome directly ruled (i.e., raised taxes from) no more than Italy itself, with Sicily, Sardinia, and Corsica; part of Spain and the route to it through southern Gaul; a small island of territory in North Africa; and, in the east, Macedonia, Greece, and the province of "Asia" (the western coast of Turkey and its hinterland). When Ptolemy Apion left the kingdom of Cyrene (eastern Libya) to Rome in 96, no action was taken. What this meant for the character of life in Cyrenaica is now vividly illustrated by a decree from Berenice (Benghazi).³⁷ It honours a public-spirited citizen named Apollodorus: "Firstly, immediately after the death of the king, when Berenice was vigorously besieged by the wrongdoers [probably, political dissidents], as a result of the prevailing absence of magistrates in office he was called upon to command the young men [the town's military force], and, enduring every danger, restored conditions to a state of complete peace." Subsequently the city, which was walled, endured two successive raids by pirate fleets, and Apollodorus performed further services, as he seems to have done later also in the period of the imposition of effective Roman control in the 60s.

It is important to remember that the idea that the freedom of the Greek city-state had disappeared at the moment of Alexander's conquest is a fantasy. The Greek cities, like the Gallic, Punic, and Iberian *civitates* of the West, were political and military communities which had no option but to make political and diplomatic choices, could and did withstand sieges, and were expected to send military and naval contingents to assist their allies, including Rome. We can see this clearly in two of the earlier documents from the great new dossier of inscriptions from Aphrodisias in Caria (south-west Turkey). One document honours a citizen of Aphrodisias, named Artemidorus, who was chosen to lead the force of citizens, *paroikoi* (non-citizen inhabitants) and slaves which the city sent to aid the Roman general Quintus Oppius when he was besieged by King Mithridates of Pontus in Laodicea in 88 B.C.; a further one is a letter of Oppius written later from the island of Cos, acknowledging the city's services and promising to do whatever he can in its interests.³⁸ The cities of Asia, the Aegean, and Greece were faced with a choice, between Mithridates and Rome, in which considerations of self-interest, internal political factors, Mithridates' propaganda as to the relief of debts and the freeing of slaves, and hatred of Roman exploitation, official and unofficial, all played a part.³⁹ So, on the one hand, we have to see the world in terms of the choices made by these local communities; on the other, we have to remember that Rome was not the only imperialist power, and that Roman control was fluctuating and incomplete throughout most of the century.

For a brief moment in 87–86 B.C., indeed, at the height of Mithridates' westward expansion, Rome controlled nothing east of the Adriatic except parts of Greece and Macedonia. To understand the impact of states on the Mediterranean economy in this period we do therefore have to take into account the fact that more than one state was involved. Mithridates was, of course, by far the greatest challenge—Cicero may not have been wholly misleading when he said in 66 B.C. that with the threat of another invasion of the province of "Asia" grazing had been abandoned, the fields had remained unsown, and the volume of shipping had declined, and that credit had collapsed in Rome during the invasions of 88 B.C.⁴⁰

The communities of the Mediterranean, especially the cities of the Greek East, had diplomatic relations with a variety of kings as well as with Rome. Aphrodisias, for instance, maintained contacts with Nicomedes of Bithynia,⁴¹ as Athens did with Ariobarzanes of

Cappadocia, who rebuilt the Odeum,⁴² or Rhodes with Hiempsal of Numidia.⁴³ In the north, Bosphorus in the Crimea had looked to Mithridates in his early years for protection against the Scythians;⁴⁴ and a famous inscription from Dionysopolis on the west coast of the Black Sea shows how one of its citizens, named Akornion, went on an embassy to Burebista, “the first and greatest of the kings in Thrace” (i.e., the king of the Dacians, who were based in present-day Rumania) and secured his friendship for the city. When the king took him as a confidant and sent him as an ambassador to Pompey, encamped at Heraclea Lyncestis in northern Greece in 49–48 B.C., Akornion took the opportunity to secure the interests not only of the king but also of his own city.⁴⁵ They were not to know that Pompey would soon be murdered on the sands of Egypt.

Or, again, there was the empire briefly created by King Tigranes of Armenia in Cilicia, Syria, and Phoenicia, in probably 83–69 B.C.; the expansion of Pharnaces’ kingdom in Asia Minor from his territory on the coast of the Black Sea in 48–47 B.C.; or the Parthian invasion of Syria and Asia Minor in 40 B.C. The city of Mylasa in Caria resisted this invasion and found its people slaughtered or enslaved, its city burnt along with its temples, lands ravaged and farmsteads burnt down.⁴⁶ A year or two after the war the city of Aphrodisias was seeking the restoration of slaves who had fled the city at that time, as well as free men against whom information had been laid and who were due for punishment. Nor could anyone have told how long-lasting might be the effects of the restoration by Antonius in the 30s B.C. of much of the empire which the Ptolemies had ruled from Alexandria in the third century—Phoenicia, Coele Syria, Cilicia, Cyprus, part of Crete, Cyrene.⁴⁷

This brief selection of the possible political alternatives which faced Mediterranean communities may serve to emphasise three points; firstly, that they were very likely to face violent domination and exaction of tribute from some direction, and often from more than one in successive periods; secondly, that freedom itself, if gained—or if it arrived as the result of a power-vacuum—might be expensive and dangerous; and, thirdly, that exploitation and exaction by Rome, however gigantic its scale (which nobody will deny), was not necessarily a worse situation from the point of view of an individual community. Distance might lend a degree of enchantment, and it is clearly attested that the people of Caunus in Caria, when put under the jurisdiction of Rhodes by Sulla, perhaps in 81 B.C., sent an

embassy to the Senate to argue that they should pay taxation to Rome instead. Even clearer is the case of the Greek cities in the area around Judaea, for which the coming of Roman rule in the 60s B.C. meant liberation and restoration after their oppression by the Hasmonean kingdom.⁴⁸ Or, at the other end of the Mediterranean, there is the case of Zama, whose people refused entry to their king Juba I on his retreat from the defeat at Thapsus in 46 B.C.; they were rewarded by Caesar, but were ordered to go on paying to Rome the tributes and indirect taxes which they had paid to the king, and became part of the province of Africa.⁴⁹ They at least seem to have been no worse off. The people of the small town of Parada in Africa, however, made exactly the same deduction from the news of Caesar's victory, with fatal results: Scipio's cavalry, in flight from Thapsus to Utica, took the town by force, made a bonfire in the forum and burnt the inhabitants on it alive.⁵⁰

That may lead us to a fourth basic point about the nature and scale of Rome's impact on the Mediterranean world in this period. It is an essential feature of the late Republic, beginning with Sulla's notorious exactions in Asia in 85 B.C., that the individual communities were faced with competing demands for services or military support, with the ultimate threat of annihilation and physical destruction, not only as between Rome and rival powers, great or small, but between rival elements of the Roman state itself. It was precisely by being divided against itself, in Asia and Greece in the 80s, in Spain in the 70s, and almost everywhere in the 40s and 30s, that the Roman state made its most exorbitant demands on the mosaic of local economies off which it lived. In the nature of the case these demands were often contradictory. In 46 B.C., for instance, the people of Sulci in Sardinia, no doubt having no choice, produced supplies for a fleet under Nasidius, an opponent of Caesar; later Caesar sailed in, fined them a large sum as a punishment, raised their tribute in kind from one-tenth to one-eighth of their produce, and confiscated the property of some of their citizens.⁵¹ What all this meant in both political and economic terms for the communities of the Mediterranean does indeed come before us most clearly of all in Caesar's *Civil War*, and the unjustly neglected works of the Caesarian corpus, which carry the story of the civil war down to 45 B.C.; indeed these Caesarian works are the best introduction which we have to the Mediterranean world as it was in the 40s. More particularly, it is these works which show the clearest consciousness both of the dependence of the rival Roman armies on the political allegiances of the provincial communities, and of their

absolute dependence—like all other armies, of course—on the economies of the areas in which they were operating. Let me take what seems to me a model example of the contradictory demands made by the conflicting elements of the Roman state on a regional economy: we find in the *African War* that in 46 B.C. Caesar could not find enough wheat in Africa because, so it was said, in the previous year all the ploughmen had been conscripted as soldiers by the Pompeians and no harvest had been produced; such corn as there was in Africa was stored in well-guarded cities, and so there was nothing for it but to rely on imported wheat—if only the trading ships (*naves onerariae*) could find the right place and make a safe landing.⁵²

So, on the one hand, Caesar's account indicates a considerable short-term effect of civil war on a local agricultural economy. On the other it takes us to a quite different theme, the question of long-distance trade by sea, which turns up everywhere in our narrative sources as an assumed part of the background against which the conflicts of the Roman revolution take place. Pompey, for instance, fled from Pharsalus in 48 B.C. and boarded a trading ship sailing from Thessaly along the coast to Amphipolis, from where he crossed to Mytilene;⁵³ Herod the Great, fleeing from the Parthians in 40 B.C., reached Alexandria and took a trading vessel round the coast to Pamphylia and then Rhodes, from where he went on to Brundisium.⁵⁴ In 43 B.C. Lentulus reported (privately to Cicero and publicly to the magistrates, Senate, and people of Rome) that Dolabella had rounded up 100 merchant ships on the coast of Lycia (southern Turkey), none of less than 2,000 amphorae (or some 52 tons) burthen, and would use them to take his army to Syria.⁵⁵ I need not continue with examples, since no accumulation of examples will give us any idea of the scale of seaborne trade or (still less) of its importance within the total economy. What is clear is simply that its presence could be assumed everywhere; in what way the operations of the state affected its direction or content remains very obscure. No doubt we should assume that the steady flow of tribute corn, carried to Rome from Sicily, Sardinia, and Africa in private merchant vessels,⁵⁶ substantially affected the overall pattern of trade; to put it at its simplest, the ships bringing wheat to Rome must presumably have carried something in the opposite direction. But no one commented on these developments at the time. It is only later sources which provide some generalizations about trade in this period: Pliny the Elder, talking about the increasing import of Greek wines to Rome in the first century, implies that the volume of the trade could have been substantial; for instance, he

records that Hortensius in 50 B.C. left over 10,000 jars of Chian wine in his will.⁵⁷ Pliny also seems to imply that it was in the 50s that Italian olive oil was first exported to the provinces; by his own time, the later first century A.D., the olive was cultivated well into the interior of Gaul and Spain.⁵⁸ All that contemporary sources can provide is illustrative examples of the movement of luxury goods, wines, and slaves, whose direction was—or so it seems—quite unaffected by questions of political control or contemporary military or naval operations. In the 50s ships sailing from the kingdom of Egypt to Puteoli in Italy might carry papyrus, linen, and glass. In Verres' time as governor of Sicily, 73–71 B.C., ships both from “Asia,” which was a province, and from Syria, Tyre, and Egypt, which were not within the provincial area, came into Sicily, bringing Tyrian purple, pearls, Greek wines, and slaves from Asia.⁵⁹ Verres himself, according to Cicero, was able to acquire and send home goods worth 1,200,000 sesterces. Cicero's list gives some hint of the varied forms of product which might embody sufficient value to be worth transporting by sea: gold, silver, ivory, purple cloths, cloth from Malta, a large quantity of coverings, tableware from Delos, Corinthian vases, corn, and 400 amphorae of honey.⁶⁰ This last is of some interest, for it suggests that any product which could be satisfactorily stored could enter long-distance trade by sea, however modest the original units of production may have been. The ships coming from the East will also have arrived, in 73–71 B.C., at what must have been the height of the operations of the pirates—which, therefore, while they must have hindered trade, clearly did not stop it altogether. By contrast, states seem rarely if ever in this period to have intervened deliberately in trade except by way of requisitioning; the one explicitly mentioned exception is Pompey's attempt in 65–64 B.C. to prevent ships sailing from the Mediterranean to Mithridates' only remaining possession, the Crimea—his objective was to achieve by famine what he had not finally achieved by war.⁶¹

In other words, so far as we know, the Roman state did not systematically intervene in seaborne trade; the significance of the effects of its activities on the structure or direction of trade remains quite uncertain. Moreover, as Michael Crawford has argued, it seems that Romans or Italians did not try to increase the profits of empire by exporting their own products to their subjects; the Italian exports which can be traced archaeologically—pottery (as always)—went predominantly to places where Roman soldiers were stationed or Italian traders settled (such as Delos).⁶² However, if that is so, then the

extensive colonization which is one of the most distinctive activities of the Roman state in the Caesarian and Augustan period should have had some marginal effect on long-distance trade.

The idea that the empire was expanded in the interests of trade—that is, for securing profitable markets for exports—is surely wholly anachronistic. Cicero does however firmly assert in his speech *For the Manilian Law*, delivered in 66 B.C., something which is related, but fundamentally different: that Rome had often gone to war to protect its own traders or shipowners overseas.⁶³ At the level of conscious expression it is only in the imperial period that we find (say) Pliny the Elder pointing to the relevance of the universal domination of Rome to the availability of all the different varieties of plants or the expansion of trade: “Who would not admit that, now that intercommunication has been established throughout the world, life has been advanced by the interchange of commodities and by partnership in the blessings of peace, and that even things that had previously lain concealed have all now been established in general use?”⁶⁴ But for the period concerned all that is clear is that inter-regional shipping was an accepted part of the social and economic scene. Its importance in the total economy may have been small. But we cannot know how its volume or its direction altered in the period.

In any case the general direct rule of the whole of the Mediterranean area and southern Europe which prompted Pliny's complacent observations was nowhere near being attained even by the end of the period of the civil wars. At the moment of the victory of Actium in 31 B.C., which secured a period of unchallenged rule for Augustus, lasting until his death in A.D. 14, the Alps and Illyricum were still unsubdued military areas, Thrace (roughly Bulgaria and European Turkey) was a client kingdom, and most of Asia Minor (present-day Turkey) was divided between the client kingdoms of Galatia, Cappadocia, and Pontus. Judaea had reverted from being a provincial area to being a client kingdom under Herod the Great, while Mauretania was to become a kingdom again in 25 B.C. under the rule of Juba II. Our overall conception of the effects of state activity on Mediterranean society in this period thus has to allow for the fact that Roman rule was both incomplete and, at certain periods, liable to contract.

However, if we look at the broad lines of the Roman state's impact on social and economic life in the late Republic, a number of very general points can be established. Firstly, even in the established

Empire of the second century A.D. Roman provincial government never succeeded in extracting taxation or services from all the areas nominally within its borders. Some seventy years after the Pontus region in northern Turkey had become a province, the historian Arrian, as governor, reported to Hadrian in the 130s that the immediate neighbours of the coastal city of Trapezus were a people called the Sanni, very warlike, very hostile to Trapezus, living in fortified positions, practising brigandage, and indifferent to the payment of the tribute (paid in beeswax according to Pliny) which they in principle owed to Rome.⁶⁵ We would do well to see all ancient kingdoms and empires as no more than changing patchworks of control.

Secondly, in certain respects it has to be conceded that the distinction between directly ruled areas (i.e., provinces) and ones which were outside the area of Roman domination hardly mattered. One of the prime characteristics of the Roman civil wars from the 70s to Actium was the way in which the competing parties demanded naval and military forces not only from provinces but from all the areas within the Roman sphere of influence. Again, some examples will suffice. From within a province, Cicero reports that Fonteius, as a proconsul of Gaul in 74–72, “ordered the provision of large forces of cavalry for the wars which the Roman people was then conducting throughout the world, large sums of money for their pay, and a very large quantity of corn for the Spanish war” (against Sertorius).⁶⁶ From outside the provincial area Lucullus was collecting ships from Cyprus, Phoenicia, Rhodes, and Pamphylia in 85 B.C.;⁶⁷ 300 cavalry from the kingdom of Noricum arrived in Italy to help Caesar in 49 B.C., while in the next year cavalry from King Cotys of Thrace fought on the Pompeian side in Thessaly; and from Alexandria in 48/7 B.C. Caesar called, among other forces, for cavalry from Malchus of Nabataea (Arabia).⁶⁸ There is no need to recall the various royal forces which took part in the civil war in Africa in the 40s or to give lists of the ethnic units which served at Pharsalus in 48 B.C.,⁶⁹ at Philippi in 42, and at Actium in 31. Brutus’ and Cassius’ forces at Philippi, for instance, included both Celts from the west and Galatians from Galatia in Asia Minor, Celtic-speaking people who had settled there in the third century B.C.⁷⁰ In the case of fleets, it is well known that Rome continued to rely on the system of requiring maritime cities to provide small naval contingents, and maintained no “Roman” fleet of its own; one remark of Cicero’s seems to imply that the cost might be taken out of the cash revenues due to Rome.⁷¹

The civil wars thus involved the calling out of local forces, often it is true not very large, and their despatch all over the Mediterranean; we see a nice reflection of this in the inscription from Cyzicus (north-west Turkey) in which someone records his dream about the capture and enslavement of a friend of his who had sailed off in a city trireme to fight alongside Caesar in North Africa in 46 B.C.⁷² It is not difficult to envisage the local, short-term effects of the requisitioning of forces, men and supplies. We can note the 30,000 Galatians requisitioned to carry corn for Lucullus' campaigns in Asia Minor in 73 B.C.,⁷³ or read Plutarch's vivid description of the requisitions in Greece before the battle of Actium in 31 B.C.: Antonius' trierarchs pressed into service passing travellers, mule drivers, people working on the harvest, and young men of military age; the cities were stripped of their money, slaves, and beasts for transport, and Plutarch's great-grandfather used to recall how the whole population at Anticyra was impressed to carry sacks of corn down to the sea. But when news came of Antonius' defeat, his officials and soldiers immediately fled and the people shared out the grain.⁷⁴ Thus the short-term local effects of Roman exactions could be felt both inside and outside the provincial area, and may often have been overcome without great difficulty. Whether the scale of the requisitioning of troops and fleets and their movement around the Mediterranean was sufficient to have any profound long-term effects is not clear. As always, we are hopelessly handicapped by not knowing how to conceive of the economy as a whole, or about the scale of the normal movement of men, goods, and money within it.

The mention of money leads to the third general point. So far the theme of Roman taxation, extortion, and extra exactions in money has deliberately been left aside. If we now turn to this, there are a number of considerations which indicate that their effects on the total economy of the region may have been more variable and more ambivalent than is often presumed. Firstly, as was emphasised earlier, the mere fact that local communities paid taxes in cash or kind represents nothing new and distinctive in itself, except in Gaul. Secondly, many of the most extreme and notorious instances are themselves reflections of the particular civil war situation—that is, the maximizing of the rapid extraction of value by one arm of the Roman state in order to gain resources to fight against another: for instance, Sulla's impositions in Asia in 85 B.C.,⁷⁵ Scipio's in Syria and Asia in 48 B.C., self-righteously described by Caesar,⁷⁶ and Caesar's own in Syria in 47 B.C.⁷⁷

These cases will represent the rapid accumulation of value mainly in order to pay troops in the field; the ultimate overall effects will then have depended on where the troops went and what happened to them (civilians are not necessarily without resources as against passing soldiers, and we should not forget the Caesarian soldiers being thrown overboard in the harbour at Utica in 49 B.C.). Some exactions took the form of seizing static wealth in the shape of temple treasures or of precious metal ornaments; it was then turned into coin, and used to pay troops.⁷⁸ The effect will thus have been to some degree inflationary. The most obvious and well-known example is the process by which, after Cleopatra despoiled the temples of Egypt of accumulated treasures, Octavian captured them in 30 B.C. (without even the odium of impiety), carried out extensive further exactions in Alexandria, and brought the proceeds to Rome in 29 B.C.; there, presumably now in the form of coin, they caused a rise in prices and a fall in interest rates.⁷⁹

That is only one of several well-known instances where vast accumulations of value in the form of precious metal were physically transported to Rome; we have only to think of the triumph of Pompey in 61 B.C.,⁸⁰ or the 600 million sesterces “from booty” (*ex manubiis*) displayed in Caesar’s triumph in 46 B.C.⁸¹ Yet that sum itself represents only about twice the level of the largest individual fortunes recorded from Rome. Moreover, we may still ask what sort, or scale, of loss to the economies of the various conquered regions was represented by the removal of the type of spoils in precious metal or other valuables which it was physically possible to bring to Rome. That must remain an open question.

It is certain that, in principle at least, the sums annually collected in cash in the provinces as taxation were also supposed to be sent physically to Rome.⁸² But at the same time substantial sums were sent out from Rome, being issued to quaestors or proconsuls for expenditure in the provinces: for instance the 12 million sesterces given to Verres for purchases of corn in Sicily;⁸³ or, better, the pattern revealed earlier by Verres’ conveniently brief accounts as quaestor in 84 B.C.: “received 2,235,417 sesterces; given out for *stipendium* [pay], corn, the legates, the proquaestor, the praetorian cohort, 1,635,417 sesterces; deposited at Ariminum 600,000 sesterces.”⁸⁴ In this case some two-thirds of the total sum was spent locally and the rest deposited locally, its subsequent fate being unknown; the same procedure could have taken place in a province—note the 18 million

sesterces granted to Piso as proconsul of Macedonia in 57 B.C.⁸⁵—and could therefore have involved the redistribution of at least some of Rome's tax revenue in a different part of the Mediterranean. We see a neat example of such a redistribution, for instance, in Asinius Pollio's report to Cicero of an event in Spain in 43 B.C.: "Balbus the quaestor, having accumulated a large sum of money, and a large quantity of gold, and having gathered in more money from public exactions, and without even giving the pay to the soldiers, has set off from Gades and crossed to the kingdom of Bogud in Morocco."⁸⁶

We cannot compile anything like a balance sheet of Roman public finance in the late Republic.⁸⁷ But even the most sceptical would have to agree that there was a very large net inflow of spoils, tribute cash, and corn into Italy, and primarily to Rome. But Roman soldiers, who were paid in coin, were nearly all stationed in the provinces, and corn was also bought in some provinces by the state.⁸⁸ Vast amounts of moveable wealth were also displaced from one region to another by the efforts of the Roman state, and above all when its energies were maximized by its being divided against itself. It is also clear that the volume of Roman minting at successive periods corresponded above all to the scale of military effort.⁸⁹ Large sums may however have been raised in a province and spent there without ever being transferred physically to Rome. In other cases state funds or the spoils of conquest may perhaps have been moved directly from one province to another, whether officially or unofficially. Our picture of the profits of conquest and their use perhaps does not yet take enough account of Suetonius' description of Caesar's financial and diplomatic dealings while he was engaged on the conquest of Gaul: "He was no less energetic in gaining the attachment of kings and provinces throughout the world, offering some of them thousands of captives as a gift, offering others, without the authority of Senate or People, the dispatch of auxiliary forces where and when they wished, and adorning the prominent cities of Italy, Gaul, and Spain, as well as Greece and Asia, with splendid public works."⁹⁰

In other words, if we could analyse the overall economic effects of the convulsive activities of late republican Rome, we would find highly complex patterns, only one of which would be the steady movement of coins, corn, slaves, and valuables to Rome and Italy. But we cannot analyse it anyway, and probably never will be able to; the best attempt to do so, for one large region, namely the Greek-speaking eastern Mediterranean, remains the last part of Michael Rostovtzeff's

Social and Economic History of the Hellenistic World. Rostovtzeff's methods and historical views, and the connection between them and his unparalleled capacity for assembling information, have never yet received the critical study they deserve. But it would not be inappropriate to compare his two great social and economic histories, of the Roman Empire (1926) and of the Hellenistic world (1941), with Braudel's *The Mediterranean and the Mediterranean World in the Age of Philip II*, which has been the subject of so much discussion.⁹¹ Any critical appraisal of Rostovtzeff, moreover, would be highly unjust if it did not accept that we have failed to go beyond him. The greater analytical sophistication which has since been achieved, or at least claimed, has not been matched by a comparable capacity to confront social and economic models with the empirical data which might serve to test them.

There are, however, at least some areas where progress could be made. We could look further at the archaeology of public buildings, as for instance the late John Ward Perkins did a few years ago, showing that Roman-style public buildings cannot be traced archaeologically in the western provinces until the time of Augustus.⁹² But of course the archaeological evidence never tells the whole story—we know for instance that in fact there was a basilica at Corduba by the middle of the first century B.C., for Cassius Longinus was giving justice there in the winter of 48/7.⁹³ Alternatively we could study the movements of amphorae and other pottery products around the Mediterranean.⁹⁴ We could concentrate on those areas, like the Greek cities of Asia Minor, or Egypt, where there are real concentrations of local documents. But above all we might hope for general studies of the actual production, distribution, and use of all types of coinage—Celtic, Spanish, North African, and Greek, as well as Roman—over the whole area; in other words, we might see how far the coins would yield a monetary, as opposed to a numismatic history.⁹⁵ Such a history would still have to recall the primitive and laborious means by which metal could be mined, minted, and moved around, and could not ignore Cicero's assumption that sums paid to Sicilian cities for corn will have been brought to them on the backs of mules.⁹⁶

But, finally, if serious analyses of the social and economic context of the Roman revolution are not yet available, we can at least see the nature and the limits of the effects of these great changes in the lives of a few individuals. I conclude with one such individual, Philotas of Amphissa, who is known to us from the pages of Plutarch's *Life of*

Antonius. He was born in Amphissa, near Delphi, in about the mid-50s B.C., and will have been a child and then adolescent at the time of the great civil war battles of Pharsalus and Philippi, in 48 and 42. By the mid-30s his education at home was complete, and he set off to Alexandria, still the capital of the Ptolemaic kingdom, to pursue the study of medicine. There he got to know a cook at the court of Antonius and Cleopatra, and saw one day in the kitchen eight wild boars roasting, at different stages of readiness; their highnesses were unpunctual, it was explained, but still liked their wild boar done to a turn. Later Philotas was doctor to Antonius' son by Fulvia, and afterwards returned home to Greece, to pursue his profession and tell endless stories to Plutarch's grandfather.⁹⁷

Philotas' life thus touched briefly on the major events of the period, but was not fundamentally affected by them. His career was a symptom of the fact that the entire communal and cultural basis of the life of the Greek cities survived, damaged and depressed but intact, through the period of the civil wars; they were thus able to adjust with ease to the new and immediately evident fact of monarchy after the battle of Actium in 31 B.C. A recently published inscription from Ephesus, for instance, records a man who, within not more than a year or two of Octavian's being voted the name "Augustus" in 27 B.C., had "supervised the setting up of 'the Augustus' [that is, a statue of him] and the dedication of the sanctuary."⁹⁸ But the conscious, political adjustment to changed circumstances is a different story, some of which can indeed be told.⁹⁹ For the real social and economic history of the world in which the Roman revolution took place, however, I wish that I could see how to do better than the friend of Plutarch's grandfather, with his endless recital of anecdotes. To do better, however, we would need a model, or models. But what models are available to help us understand the history of a region made up of innumerable communities at very different stages of development, within which longer-term changes were overshadowed for contemporaries, as they are for us, by the demands of competing states and factions and the needs and effects of war?

NOTES

*First published in *Past and Present* 102 (1984): 3–24. This chapter was given as a lecture at the Triennial Meeting of the Hellenic and Roman Societies in 1981. It is printed here essentially in the same form, since for the reasons given in the text the evidence does not in

any case allow more than a preliminary exploration of possibilities. I am grateful to Keith Hopkins for comments and suggestions.

1. Plutarch, *Caesar* 11; Plutarch, *Moralia* 206B.

2. R. Syme, *The Roman Revolution* (1939). For population estimates, see, e.g., M. I. Finley, *The Ancient Economy* (1973), 30; K. Hopkins, "Taxes and Trade in the Roman Empire, 200 B.C.–A.D. 400," *JRS* 70 (1980): 117–18.

3. Caesar, *BG* 1, 10, 4, and 3, 1, 1–2.

4. Vitruvius, 2, 9, 15–16. See J. Sasel, "Castellum Larignum (Vitr. 2, 9, 15)," *Historia* 30 (1981): 254–6, for the suggested identification with *Larix* in *Itinerarium Antonini*, 276. See now R. Meiggs, *Trees and Timber in the Ancient Mediterranean World* (1982), 248ff.

5. Strabo, *Geography* 4, 6, 7 (205–6); Cassius Dio 53, 25, 2–5; cf. Appian, 3. 17/49–51; *ILS* 6753 (showing that some surviving Salassi were included in the population of the colony).

6. Cicero, *Fam.* 8, 15, 2 (Shackleton Bailey, no. 149).

7. Suetonius, *DJ* 31.

8. Appian, *BC* 2, 64/269.

9. Cicero, *Div.* 2, 84; Pliny, *NH* 15, 83. Cicero makes clear that he is talking about figs actually imported from Caunus ("caricas Cauno advectas") and not just a type named after the place. Pliny, *NH* 15, 82, describes various methods of storage.

10. Appian, *BC* 2, 46/187–88.

11. Plutarch, *Sulla* 26.

12. Diodorus 1, 44, 1 (visit in 180th Olympiad, 60–56 B.C.), and 83, 8–9.

13. See D. J. Crawford, J. Quaegebeur, and W. Clarysse, *Studies on Ptolemaic Memphis* (1980).

14. E.g., on the ethnography of the Celts, see J. J. Tierney, "The Celtic Ethnography of Posidonius," *Proc. Roy. Irish Acad.* 60 (1960): 189–275; A. D. Momigliano, *Alien Wisdom: The Limits of Hellenization* (1975), chap. 3; D. Nash, "Reconstructing Poseidonius' Celtic Ethnography: Some Considerations," *Britannia* 7 (1976): 111–26.

15. Diodorus 5, 26, 3 (Italian traders exchanging wine for slaves); Caesar, *BG* 1, 1, 3, and 2, 15, 4 (lesser impact of traders on Belgic north). For the background, see, e.g., G. Clemente, *I Romani nella Gallia meridionale II–I sec. a.C.: politica ed economia nell'età dell'imperialismo* (1974).

16. Vitruvius 2, 1, 4.
17. Varro, *RR* 1, 7, 8.
18. For acute problems over this, see P-W, s.v. "Tremellius" (5).
19. Strabo, 4, 1, 2 (178); 1, 5 (180); 1, 11–14 (185–89); 3, 5 (194); 4, 2 (195–96).
20. So J. Harmand, "La Gaule indépendante et la conquête," in C. Nicolet, ed., *Rome et la conquête du monde méditerranéen* II (1977–78), 706.
21. D. Nash, "Plus ça change . . . : Currency in Central Gaul from Julius Caesar to Nero," in R. A. G. Carson and C. M. Kraay, eds., *Scripta Nummaria Romana: Essays Presented to Humphrey Sutherland* (1978), 12–31. For the background, see D. Nash, *Settlement and Coinage in Central Gaul, c. 200–50 B.C.*, 2 vols. (*BAR* Supp. ser. 39, 1978).
22. E.g., Suetonius, *DJ* 24 (V Alauda); Caesar, *BC* 1, 39, 2; 1, 51, 1; 3, 4, 4; 3, 22–3; [Caesar], *B. Alex.* 17, 3; [Caesar], *B. Afr.* 6, 3; 19, 3–4; 20; Appian, *BC* 2, 70/91, and 4, 88/373. For Juba I's 2,000 Spanish and Gallic cavalry, see Caesar, *BC* 2, 40, 1. For Octavian's transfer of 400 Gauls to Herod in 30 B.C., see Josephus, *BJ* 1, 20, 3 (397), and Josephus, *AJ* 15, 7, 3 (217). For Herod's funeral, see Josephus, *BJ* 2, 33, 9 (672), and Josephus, *AJ* 17, 8, 3 (198).
23. Caesar, *BJ* 3, 23, 5–6.
24. Caesar, *BJ* 3, 59–61, and 79.
25. *CIL* XIII, 1063; cf. *I. L. de Gaule*, no. 148.
26. For contrast, see J. F. Drinkwater, "The Rise and Fall of the Gallic Iulii: Aspects of the Development of the Aristocracy of the Three Gauls under the Early Empire," *Latomus* 37 (1978): 817–50; E. M. Wightman, "Peasants and Potentates: An Investigation of Social Structure and Land Tenure in Roman Gaul," *AJAH* 3 (1978): 97–128.
27. Varro, *RR* 2, 10, 9.
28. Strabo, 3, 4, 7 (155). See *Poseidonius I: The Fragments*, ed. L. Edelstein and I. G. Kidd (1972), T.23 and F.269.
29. Strabo, 3, 3, 7 (155); 4, 17 (165).
30. For Illyricum, see Appian, *Ill.* 12; and note [Caesar], *B. Alex.* 48, 1–3 (Gabinius attacking *castella*, and driven back to Salona); Cicero, *Fam.* 5, 10a–b (Shackleton Bailey, nos. 256, 258) (Vatinius trying to gain a triumph against the Dalmatians).
31. See Strabo, *Geography* 5, 2, 7 (224) (Corsica); 6, 2, 6 (273)

(Sicily); Diodorus, 4, 30, 4–6, and 5, 15, 3–5 (Sardinia).

32. Cicero, *Fam.* 2, 10, 3 (Shackleton Bailey, no. 86), and 15, 4, 9–10 (no. 110); Cicero, *Att.*, 5, 20, 3–5 (no. 113).

33. Josephus, *AJ*, 14, 304–23. See H. Volkmann, *Die Massenversklavungen der Einwohner erobelter Städte in der hellenistisch-römischen Zeit* (1961), 105–10.

34. Cicero, *Quinct.* 24.

35. Cicero, *Fam.* 11, 4 (Shackleton Bailey, no. 342).

36. Strabo, 14, 5, 2 (688–89).

37. J. M. Reynolds, “A Civic Decree from Benghazi,” *The Society for Libyan Studies: Fifth Annual Report* (1973–4), 19–24; re-edited by J. M. Reynolds in J. A. Lloyd, ed., *Excavations at Sidi Khrebish, Berenice-Benghazi, Libya Antiqua*, Supp. 6 (1982), 234, no. 3.

38. J. M. Reynolds, *Aphrodisias and Rome* (1982), docs. 2, 3.

39. For the details, which cannot be discussed here, see T. Reinach, *Mithridates Eupator, König von Pontos* (Leipzig, 1895); D. Magie, *Roman Rule in Asia Minor* (1950), chap. 9. For Athens, note also E. Badian, “Rome, Athens and Mithridates,” *AJAH* 1 (1976): 105–28; C. Habicht, “Zur Geschichte Athens in der Zeit Mithridates VI,” *Chiron* 6 (1976): 127–42.

40. Cicero, *Leg.Man.* 14–15, and 19.

41. Reynolds (n. 38), doc. 4, a letter of (probably) Nicomedes IV of Bithynia to the city.

42. Vitruvius 5, 9, 1; *OGIS* 354.

43. V. N. Kontorini, “Le roi Hiempsal II de Numidie et Rhodes,” *AC* 44 (1975): 89–99.

44. See Z. W. Rubinsohn, “Saumakos: Ancient History, Modern Politics,” *Historia* 39 (1980): 50–70.

45. *Syll.*³ 762; *IGBulg.* 13.

46. Strabo, *Geography* 14, 2, 24 (60); R. K. Sherk, *Roman Documents from the Greek East* (1969), no. 59.

47. For the controversial and obscure details of Antonius’ “donations,” see E. Schürer, *The History of the Jewish People*, ed. G. Vermes and F. Millar, I (1973), 288 n. 5.

48. For Caunus, see Cicero, *QF* 1, 1, 33; Strabo, *Geography* 14, 2, 3 (652); for Judaea, Schürer (n. 47) 240.

49. [Caesar], *B. Afr.* 91–92 and 97.

50. *B. Afr.* 87, 2.
51. *B. Afr.* 98, 2.
52. *B. Afr.* 20–21.
53. Plutarch, *Pomp.* 73–74; compare Cato taking a trading vessel from Thessaly to Aenus in 67 B.C.: Plutarch, *Cat. Min.* 11.
54. Josephus, *AJ* 14, 14, 2–3 (375–78).
55. Cicero, *Fam.* 12, 14, 1, and 15, 2 (Shackleton Bailey, nos. 405–6).
56. See G. E. Rickman, *The Corn Supply of Ancient Rome* (1980).
57. Pliny, *NH* 14, 95–98.
58. Pliny, *NH* 10, 1–3.
59. Cicero, *Rab. Post.* 40; Cicero, *Verr. II* 5, 145–6.
60. *Verr. II* 2, 176, 183, 185.
61. Plutarch, *Pomp.* 39.
62. M. H. Crawford, in A. Giardina and A. Schiavone, eds., *Società romana e produzione schiavistica*, 3 vols. (1981), III, 271–83; cf. A. Tchernia, “Italian Wine in Gaul at the End of the Republic,” in P. Garnsey, K. Hopkins and C. R. Whittaker, *Trade in the Ancient Economy* (London, 1983), 87–104.
63. Cicero, *Leg. Man.*, 5 and 11.
64. Pliny, *NH* 14, 2 (Loeb trans.); cf. 37, 3.
65. Pliny, *NH*, 21, 72; Arrian, *Periplus*, 11.
66. Cicero, *Font.* 13.
67. Plutarch, *Luc.* 56.
68. Caesar, *BC*, 1, 18, 5, and 3, 36, 4; [Caesar], *B. Alex.*, 1, 1.
69. Appian, *BC* 2, 70–71.
70. Appian, *BC* 4, 88/373.
71. Cicero, *Verr. II* 1, 89.
72. *Syll.*³ 763.
73. Plutarch, *Luc.* 14.
74. Plutarch, *Ant.*, 62 and 68.
75. Plutarch, *Sull.* 25; Appian, *Mith.* 62–63.
76. Caesar, *De bello civili*, 3, 31–32.
77. Dio, *Roman History*, 43, 49, 1–2.
78. For removal of wealth from temples, see, e.g., Diodorus, 38/9,

7; Plutarch, *Sull.*, 12 and 19; Pausanias 9, 7, 6 (Sulla in Greece); Josephus, *AJ* 14, 7, 1 (105–9) (Crassus from the temple in Jerusalem); Dio 42, 49, 1–2, and 43, 39, 4–5 (Caesar in Spain in 49 and 47). For the conversion of precious-metal ornaments into coin, see, e.g., Appian, *BC* 4, 64/273–75 (Tarsos, 43 B.C.), and 5, 6/26 (the cities of Asia, referring back to Brutus' and Cassius' exactions before Philippi). For comparative cases, see F. Millar, *The Emperor in the Roman World* (1977), 151.

79. Dio 51, 17, 6–8, and 21, 5.

80. Pliny, *NH* 37, 12–18; Plutarch, *Pomp.* 45; Appian, *Mith.* 116.

81. Velleius 2, 56, 2; cf. Appian, *BC* 2, 102.

82. See, e.g., Velleius 2, 62, 3: “the moneys . . . which were being transported to Rome by the quaestors”; Cicero, *Fam.* 12, 14–15 (Shackleton Bailey, nos. 405–6); Nicolaus of Damascus, in *FGrH* no. 90, frag. 130, XVIII/55.

83. Cicero, *Verr. II* 3, 163.

84. *Verr. II* 1, 36.

85. Cicero, *Pis.*, 86.

86. Cicero, *Fam.* 10, 32 (Shackleton Bailey, no. 415).

87. For serious attempts to do so, see esp. Tenney Frank, *Economic Survey of Ancient Rome I* (1933), 322–47; M. H. Crawford, *Roman Republican Coinage* (1974), 694–707.

88. For the outflow of expenditure from Rome, see M. H. Crawford, “Rome and the Greek World: Economic Relationships,” *Econ. Hist. Rev.*, 2nd ser., 30 (1977): 42–52.

89. Crawford (n. 87), 640–707; cf. H. Mattingley, “Coinage and the Roman State,” *NC* 17 (1977): 199–215; Hopkins (n. 2), 106ff.

90. Suetonius, *Div. Iul.* 28.

91. F. Braudel, *The Mediterranean and the Mediterranean World in the Age of Philip II*, trans. S. Reynolds, 2 vols. (1972–73); M. Rostovtzeff, *The Social and Economic History of the Roman Empire* (1926); M. Rostovtzeff, *The Social and Economic History of the Hellenistic World*, 3 vols. (1941). I know of no major retrospective analysis of Rostovtzeff's two great works. For a sympathetic and perceptive sketch, see A. D. Momigliano, “M. I. Rostovtzeff,” in his *Studies in Historiography* (1966), 91–104. On Braudel, apart from the well-known essay by J. H. Hexter, “Fernand Braudel and the Monde Braudellien,” in his *On Historians* (1979), 61–145, see now S. Kinser, “Annaliste Paradigm?

The Geohistorical Structuralism of Fernand Braudel,” *Amer. Hist. Rev.* 86 (1981): 63–105.

92. J. B. Ward Perkins, “From Republic to Empire: Reflections on the Early Provincial Architecture of the Roman West,” *JRS* 60 (1970): 1–19.

93. [Caesar], *B. Alex.* 52, 2.

94. Note, for instance, D. Manacorda, “The Ager Cosanus and the Production of the Amphorae of Sestius: New Evidence and a Reassessment,” *JRS* 68 (1978): 122–31; and see also A. Giardina and A. Schiavone, eds., *Società romana e produzione schiavistica*, II (1981), and the survey article by J. Paterson, “‘Salvation from the Sea’: Amphorae and Trade in the Roman West,” *JRS* 72 (1982): 146–57.

95. For example, Nash, “Plus ça change” (n. 21); Nash, *Settlement and Coinage in Central Gaul* (n. 21); M. H. Crawford, “The Financial Organisation of Republican Spain,” *NC* 9 (1969): 79–93; R. C. Knapp, “The Date and Purpose of the Iberian Denarii,” *NC* 18 (1977): 1–19; cf. A. Giovannini, *Rome et la circulation monétaire en Grèce au II^e siècle avant Jésus-Christ* (1978).

96. Cicero, *Verr.* II 3, 183.

97. Plutarch, *Ant.* 28. I owe to Dr. W. E. H. Cockle a number of items of evidence indicating that wild boar were known in Egypt and were hunted there: e.g., Theophrastus, *Hist. pl.* 4, 12, 4; *P.Ryl.* II, no. 238 (A.D. 262).

98. *SEG* XXVI 1243.

99. For this, cf. F. Millar, “State and Subject: The Impact of Monarchy,” in F. Millar and E. Segal, eds., *Caesar Augustus: Seven Aspects* (1984) (chapter 12 in this volume).

PART III
The Augustan Revolution

CHAPTER TEN

Triumvirate and Principate



Introduction

More than thirty years after its publication *The Roman Revolution* still stands unrivalled, not as the “definitive” account of the emergence of a monarch from the ruins of the Republic but as something far more than that, the demonstration of a new method in the presentation of historical change. The aspect of this method which has found most imitation is, of course, prosopography; and it is indeed essential to it. But far more important is the use made of contemporary literature to mirror events, and to analyse and define the concepts and the terms in which the events were seen by those who lived through them.

It is the common characteristic, perhaps even the definition, of great works of history that they invite imitation and offer a challenge, not just to apply their methods and standards to other areas, but to pursue their own conclusions further. The present chapter is gratefully offered as an attempt to portray with a different emphasis some aspects of the establishment of Octavian as a monarch, first by demonstrating the extent to which the institutions of the *res publica* remained active in the Triumviral period, and secondly by redefining the change which culminated in 27 B.C., precisely by asking again in what terms it and the “new order” (*novus status*) which emerged from it were seen by contemporaries.

Monarchy is an infinitely complex phenomenon, in each case unique to the particular society from which it springs. The complexity is only increased when it emerges from a centuries-old aristocratic republic whose web of customs, rights, and traditions is dignified by moderns with the title of a constitution; and further when it immediately involves the direct relationship of the monarch to a vast range of regions and communities of varying cultures and political characters. This is the essential new factor, foreshadowed by Pompey during his command in the East, and briefly in Rome by Caesar as dictator. Moreover it allows us to simplify, and to focus a large part of the discussion on a single criterion of monarchy, the issuing by the monarch of pronouncements which are themselves treated by his

subjects as effective legal acts. It is all-important to stress the difference between these and pronouncements which either complete some collective legal process, or merely promise that such a process will take place. Among such effective pronouncements the personal judicial verdicts of the monarch have a particular significance. Considerations such as these will be vital in determining the relevance of the Triumviral period to the emergence of monarchy, and the nature of the change completed in 27 B.C.

The Triumvirate and the *Res Publica*

Nobody, then or since, could dispute that the Triumviral period was profoundly marked by violence, illegality, and the arbitrary exercise of power. This view was openly expressed at the time by the jurist Cascellius, who refused to give a legal formula in respect of properties granted by the Triumvirs, “considering all of their grants outside the realm of law.”¹ Even Octavian himself admitted this, abolishing (whatever that may mean) all that had been done unlawfully and unjustly up to his sixth consulate in 28 B.C.² None the less, if we rely too uncritically on the famous, but also typically emotive, rhetorical, and imprecise, phrase of Tacitus which introduces his reference to this “abolition”—“and then continuous discord for twenty years, no custom, no law” (*exim continua per viginti annos discordia, non mos, non ius*)³—we shall miss important features of the Triumviral situation.

It is necessary to emphasise first how little can be confidently deduced from the brief accounts we have of the establishment of the Triumvirate, which in this respect resemble the accounts of the “settlement” of 27.⁴ Moreover the evidence we have relates partly to the pact of Bononia and partly to the Lex Titia itself. In spite of a very useful discussion,⁵ it is necessary to review the main points here.

For the actual powers of the Triumvirs, none of our earliest sources—Livy as represented in the *Epitome*, Augustus himself in the *Res Gestae*, and Velleius Paterculus—gives any help.⁶ Nor does the opening narrative section of Suetonius’ *Divus Augustus* (12–13) or his later references (27, 96), or the descriptions of the pact and the proscriptions in Plutarch’s *Cicero* (46) and *Antonius* (19–20), or in Florus (2, 15). So it is important to emphasise that the narrative sources on which we depend for our conception of the formation of the Triumvirate and the powers of its members are essentially Appian and Dio. From Appian (*BC* 4, 2/4–7, on the pact of Bononia) we learn that their power was to be equal to that of the consuls and to last for

five years. They were “to appoint” the city magistrates at once for each of the next five years. They were to divide the governorships of provinces and “have” the different regions separately. Nothing is said about how the government of the provinces would actually work, except (in 3/9) that Lepidus was to be consul for the following year, to remain in Rome and to govern Spain through others. When Appian (in 4, 7/27) comes to describe the passing of the tribunician Lex Titia itself he repeats only the detail that their power was to be consular and for five years.

Dio, describing Bononia (46, 55, 3–4), mentions the five-year term, the right to give offices (*archai*) and honours (*timai*), and the division of the provinces; he does, however, add some sort of definition of their powers—“they should manage all public business, whether or not they made any communication about it to the people and the Senate.” He adds, still describing Bononia, that they agreed on executions of their enemies (46, 56, 1). When mentioning their subsequent actions in Rome he makes only a passing allusion to the Lex Titia—“the measures which they had dictated and forced through assumed the name of law” (47, 2, 2). It is thus evident that our major sources for these events are not only remote from them in time but lacking in clarity. Only the *Epitome* of Livy tells us formally that the Lex Titia gave a legal basis to the proscriptions; only Aulus Gellius (14, 7, 5) records that the Triumvirs had “the right to convene the senate”; and only the *Fasti Colotiani*⁷ give us the terminal date of the five-year period of the Triumvirate—“[M. A]emilius, M. Antonius [erased], Imp. Caesar, triumvirs for the ordering of the *res publica*, from the fifth day before the Kalends of December to the day before the sixth Kalends of January following.” These *Fasti*, which the erased name of Antonius show to have been inscribed before September 30 B.C., thus make clear that the Triumvirate was due to expire on December 31, 38 B.C.

What remains quite obscure is what effects the appointment of triumvirs for the ordering of the *res publica*—*triumviri rei publicae constituendae*—was expected to have on the assemblies, the Senate, and the annual magistracies. Least obscurity attaches to the question of elections and of appointments to provincial commands, which are explicitly stated to have been within the powers of the Triumvirs. But was *every* annual magistracy in the period filled by Triumviral appointment? And, if so, did this mean that the centuriate and the tribal assemblies actually ceased to meet for electoral purposes until

27 B.C.? Or might they have met to elect formally lists of candidates put forward by the Triumvirs? A number of important articles on the elections under Augustus ignore the problems of the Triumviral period.⁸ Only the valuable study of R. Frei-Stolba traces the fortunes of the elections from the Republic through the Caesarian and Triumviral periods, to the Empire.⁹ There is of course abundant evidence to show arbitrary use of the power of appointment by the Triumvirs, including gross affronts to Republican custom in certain years. At the end of 43 they appointed two suffect consuls, one of them a praetor in office, who was replaced by one of the aediles; and five days before the end of the year they sent the praetors off to provinces, and appointed replacements.¹⁰ In 42 Dio speaks of them as appointing the city magistrates for several years in advance.¹¹ In 40 suffect consuls and praetors were again appointed right at the end of the year, and an aedile to replace one who died on the last day of December.¹² In 39 the Triumvirs are recorded as making appointments to magistracies several years ahead and to the consulate for eight years, subsequently making additions and subtractions to the list. Dio carefully emphasises that it was at this point that the arbitrary appointment of suffect consuls became regular, and underlines the continuity with established imperial practice.¹³ Similarly, when agreement was temporarily reached with Sextus Pompeius in the same year, its terms included praetorships, tribunates, and priesthoods for his followers, and a consulate and the position of *haruspex* (diviner) for himself (he was deposed from both in 37).¹⁴ The following year saw the culmination of the period of disturbance of the republican magistracies.¹⁵ Sixty-seven praetors were appointed in the course of the year, and a boy was made quaestor.¹⁶ Under the next year Dio notes continual multiplication of office-holders, and gives the reason, namely that the offices were valued not for themselves but as the necessary preliminary to provincial commands.¹⁷

In the following years such irregularities were greatly reduced,¹⁸ though suffect consulates continued (Octavian abandoning his consulate in 33 on the first day).¹⁹ The suffect consulate in 30, for which, as Plutarch says, Octavian “chose” Cicero’s son as his colleague,²⁰ ended the systematic use of suffect consulates for several decades. The abandonment of this practice was surely intended as a sign of approaching normality.

The extensive powers of appointment exercised by the Triumvirs naturally led to the distribution of appointments as favours, and to

requests for them from interested parties. So Plutarch mentions that Octavia after her rejection by Antonius continued to assist men sent by him “in quest of office or on other business” to obtain their requests from Octavian (*Ant.* 54); while Aelian has the incident of a runaway slave who was given the praetorship by Antonius, and was recognized by his former master while “he was sitting on tribunal and dispensing justice in the Roman Forum.”²¹ If we can trust a curious anecdote in Dio,²² the right of patronage was extended even beyond the Triumvirs; for he records that Statilius Taurus was rewarded by the people for completing his theatre in 30 B.C. and celebrating the event with a gladiatorial show, by being granted the right to select one of the praetors each year.

None the less, there remain a few indications that the ritual of the elections continued, and even that some places were filled by election. Dio mentions that there were no aediles in 36 B.C. for lack of candidates.²³ In the proscriptions, according to Appian, one praetor was killed holding an assembly in the Forum, and another fled while canvassing the voters for the quaestorship for his son. In this case the son revealed his father’s hiding place, and was rewarded by the Triumvirs with both his father’s property and an aedileship.²⁴ The first part of the latter story is confirmed by Valerius Maximus.²⁵ Similarly, according to Plutarch (*Cic.* 49), it was when Antonius was conducting an assembly in December 43 that Cicero’s head and hands were brought to him. One story in Appian (*BC* 4, 41/173) records that the people elected a man as aedile in this period.

But although appointment by patronage was clearly normal, the theory that the republican magistrates, once in office, should exercise their traditional functions persisted throughout the period. When the soldiers imposed an agreement on Octavian and L. Antonius at Teanum in 41 B.C., one of its conditions was that the consuls should exercise their traditional powers (*ta patria*) without hindrance from the Triumvirs.²⁶ Similarly, when Octavian’s fortunes turned in 36, “he allowed the annual magistrates to administer a great part of the *res publica* in the traditional ways.”²⁷ While these references clearly indicate that full normality was not actually achieved, it is none the less important to stress the extent to which the traditional duties of the magistrates in fact continued. Sacrifices were carried out,²⁸ games and festivals conducted,²⁹ and public buildings constructed and dedicated.³⁰ As is clear from an anecdote in Appian (*BC* 4, 41/173) and Dio (48, 53, 4), office in Rome continued to demand substantial

expenditure. Both the continuation of routine business and its subjection to violent interference are illustrated by Suetonius' story (*Div. Aug.* 27) of a praetor dragged from his tribunal by Octavian's soldiers.

Much more important, however, are the indications that substantial matters were still put through by the consuls. Twice under the year 42, Appian represents Antonius as getting the consul Munatius Plancus to have a safe-conduct voted for someone.³¹ Ten years later, as is notorious, the consuls Sosius and Domitius Ahenobarbus resolutely opposed Octavian, and refused his demands for publication of Antonius' Donations of Alexandria;³² Sosius would have taken direct action against Octavian but for the veto of the tribune Nonius Balbus.³³ Two years after that, it was Cicero's son who, as suffect consul of 30, read the news of the death of Antonius to the people.³⁴ At about this time, after the conspiracy of the younger Lepidus, a puzzling passage of Appian (*BC* 4, 50/218–19) shows a consul on his tribunal and with his lictors accepting a "pledge" (*vadimonium*) from Lepidus' mother for her appearance before Octavian.

More important than these scattered examples of consular or magisterial action is the evidence of votes by the Senate, or by the Senate and people. First, a number of laws, or popular votes. From 42 we have the *Lex Munatia Aemilia* enabling the Triumvirs to make grants of citizenship (see no. 5 in the next section), the law for the deification of Julius Caesar, "whom the Senate and the Roman People assigned a place among the Gods" (*ILS* 72, *Aesernia*);³⁵ and perhaps a *Lex Rufrena*.³⁶ From 40 (?) we have the important tribunician law, the *Lex Falcidia*.³⁷ From the mid 30s onwards various honours were voted to Octavian, some abortively;³⁸ but more significant is the fact that Antonius continued to wish to have his eastern dispositions ratified in Rome (*Dio* 49, 41, 4). Whether the renewal of the Triumvirate in 37 was ratified, even retrospectively, remains in doubt. In *BC* 5, 93/398, Appian says that they renewed it "no longer asking for the assent of the people" but in *Illyrica* 28/80 that the people ratified it. However, in 30 B.C. the Senate and People certainly passed a *Lex Saenia* allowing Octavian to create patricians,³⁹ and voted the privilege to Statilius Taurus mentioned above.

The Senate acting without the people in substantive matters appears even more frequently. In 41, according to Florus (2, 16) the senators declared L. Antonius a public enemy. In 40 they condemned Salvidienus Rufus to death, voted the "care" (*cura*) of the city to the

Triumvirs,⁴⁰ and ratified the grant of the kingdom of Judaea to Herod.⁴¹ In 39 they ratified all the official acts of the Triumvirs down to that time.⁴² More traditional functions continued as well; in 37, on the advice of the *pontifices*, the Senate ordered the removal of the bones of a man whom the populace had honoured with burial on the Campus Martius.⁴³

Then, ignoring various votes in favour of Octavian,⁴⁴ we may note that the Senate declared Antonius a public enemy, presumably in 30—and that one senator voted against.⁴⁵ It was apparently subsequently to this that they voted to take down the image of Antonius and cancel the honours voted to him (Plut., *Cic.* 49); and in 29 to close the gates of the temple of Janus (RG 13; Dio 51, 20, 4).

Nobody would argue that the formal exercise of their traditional functions by the Senate and People demonstrates the continuance of the free play of politics. But the evidence does seem to indicate that the institutions of the *res publica* themselves persisted through the Triumviral period. Moreover the Triumvirs not only, as we shall see (texts to nn. 103–4), made repeated promises to restore effective power to the republican institutions, but showed considerable concern to have their actions formally approved and ratified by the traditional organs of the state. This intermingling of the exercise of individual power and of the role and influence of the republican institutions comes out very clearly in the now extensive dossier of Triumviral documents.

Triumviral Documents

The documents containing official decisions from the Triumviral period come entirely from the Greek East. In this context it will be sufficient to note their essential contents and their relevance to the way in which decisions were made. To illustrate a certain progression of form and attitude they will be given in chronological order.

1. Letter of Antonius to Hyrcanus and the *ethnos* of the Jewish people, 42/1 B.C. Jos., *Ant.* 14, 12, 3 (306–13).
2. Letter of Antonius to Tyre, 42/1 B.C. Jos., *Ant.* 14, 12, 4 (314–18).
3. Letter of Antonius to Tyre enclosing his edict (διάταγμα). 42/1 B.C. Jos., *Ant.* 14, 12, 5 (319–22).

Josephus notes that similar letters were sent to Sidon, Antioch, and Arados (14, 12, 6 [323]), but does not quote them. The letters which he does quote were evoked by an embassy to Antonius at Ephesus

some time after Philippi, which brought a gold crown and asked for the freeing of Jewish prisoners taken in the period of Cassius' domination, and the restoration of lost territories. Antonius accepted these claims at once. In his letter to Hyrcanus he refers to a previous embassy to himself in Rome, discourses extravagantly on Philippi, and orders the release of the captives, the maintenance of grants previously granted by himself and Dolabella (proconsul of Syria in 43 B.C.), and the restoration of lands taken by the Tyrians. Writing to Tyre he emphasises that his opponents at Philippi had not been appointed to their provinces by the Senate, orders restoration, and offers them the opportunity of presenting their case before him when he reaches their vicinity. In the second letter he orders the inscription in a prominent place of a general edict referring to the illegal seizure of Syria by Cassius and the losses suffered by the Jews. Here he uses his full titulature, "Marcus Antonius, *imperator*, one of three men in charge of the *res publica* said." It is to be noted that the issue is brought forward, as so often, by an embassy from an interested party, that the decisions on it are taken directly and individually by the Triumvir concerned, but that some reference is made to the legality of his position.

4. Letter of Antonius to the provincial council (*koinon*) of Asia on the rights of the world-wide association of victorious athletes in sacred games who had won crowns. (?) 41 B.C. *SB* 4224; R. K. Sherk, *Roman Documents from the Greek East* (1969), no. 57.

Antonius refers to two embassies, a previous one when M. Antonius Artemidorus, "my friend and trainer," and the eponymous priest of the association, Charopinus of Ephesus, had approached him in Ephesus and requested the maintenance of its privileges; and a second by Artemidorus asking permission to have the privileges inscribed on a bronze tablet. This letter, preserved on papyrus, is addressed to the provincial council presumably for information and as further protection for the rights of the association. The preexisting role and importance of the provincial council is now clear from a document from Aphrodisias showing that earlier in the century it had sent an embassy to Rome to protest against the excesses of the publicans.⁴⁶

5. A grant (*decretum*?) of citizenship by Octavian (or the Triumvirs?) to Seleucus of Rhodus, (?) 41 B.C. *IGLS* III, no. 718, ii; Sherk, *Roman Documents*, no. 58, ii.

The document is much mutilated, and there is ample room for doubt about both its correct designation and its date. What is significant in

this context is that it refers (l. 10) to a Lex Munatia Aemilia, evidently passed by the consuls of 42 B.C., Munatius Plancus and Aemilius Lepidus, in accordance with which the grant is made. There is no indication of date, but it is probably early, as the donor appears as

“Caesar Imperator”— *Καῖσαρ αὐτοκράτωρ* . “Imperator” does not yet appear as a *praenomen*, which it came to do from 38, or possibly 40, B.C.⁴⁷ On the other hand, the verb given in line 11 is in the plural, “gave,” which has suggested to some that an original which referred to a grant by two or three of the Triumvirs has been tampered with before being inscribed several years later. The aftermath of Philippi remains a reasonable, but not in the least a certain, context for the original grant. More important for our purposes is its justification in terms of a law, its formal and detailed character, and its references (ll. 68–71) to the rights of embassy to the Senate, and to Roman magistrates and promagistrates, and to fines payable to the Roman people.

6. (?) Greek translation of a law establishing ceremonies in honour of the deified Julius Caesar? 41 B.C.? *Forschungen in Ephesos* IV, 3 (1951), 280, no. 24; see now M. Crawford, ed., *Roman Statutes* I–II (1996), no. 35.

The first words (*thelete, keleuete*) translate “velitis, iubeatis” (“May you wish and command”) the terminology of a law,⁴⁸ and the expression “the deified Julius” is likely not to have been used until after the vote of divine honours in 42 B.C. (Dio 48, 18–19). Whether the reference to Marcus Antonius relates in any way to his presence in Ephesus in 41 B.C.⁴⁹ must remain a matter of speculation.

7. A decree of the senate in response to an embassy, probably from Panamara, Caria. 39 B.C. Sherck, *Roman Documents*, no. 27.

The document is formally dated to August in the consulship of L. Marcius Censorinus and Gaius Calvisius. All that emerges is that a large Greek embassy, probably, but not necessarily, from Panamara itself, made some request which Censorinus put to the Senate, and which was evidently received favourably.

8. Part of a decree of the Senate relating to Plarasa-Aphrodisias, 39 B.C. J. M. Reynolds, *Aphrodisias and Rome* (1982), no. 8 (henceforward *Aphrodisias*).

The decree is dated to the consulship of 39, L. Marcius Censorinus and Gaius Calvisius, and it confirms grants of rights and privileges, including freedom and immunity, to the city, and to the sanctuary

(*temenos*) of Aphrodite there, made by Divus Julius, Octavian, and Antonius. Among the provisions are some for the reception of future embassies from the city coming before the Senate. Compare no. 12.

9. Edict of the Triumvirs. 39 B.C.? or soon after. *Aphrodisias*, no. 7.

The document contains the last part (about thirty letters) of each of twelve lines of an edict by two of the Triumvirs. There is no formal indication of date, but the succeeding lines contain references to a war and its effects, which is likely to be the Parthian invasion of 39 B.C., although it may refer also to oppression by Brutus and Cassius.

10. Letter of Octavian to Ephesus, promoted by an embassy from Plarasa-Aphrodisias, 38 B.C.? *Aphrodisias*, no. 12.

Octavian appears with the *praenomen* "Imperator," which suggests a year not earlier than 38, or possibly 40, B.C., and his letter is concerned with restoration after the war of Labienus, which suggests not later than 38. The sufferings of Plarasa-Aphrodisias were detailed to Octavian, he says, by an ambassador, Solon, son of Demetrius, the same man who appears in no. 12. The most striking feature of the letter is that Octavian writes that he has given *entolaito* his colleague Antonius to repair the damage; but this may translate *mandata*, in the sense of a commission, and hence be less dramatic than it at first appears. The letter comes to Ephesus because it has been reported to Octavian that a gold statue of Eros dedicated by Divus Julius, having been looted from Aphrodisias, has been dedicated to Artemis of Ephesus. They are firmly warned to restore it. There is no reference to the institutions of the *res publica*.

11. Letter of Octavian to Stephanus concerning Aphrodisias (and letter of Stephanus to Aphrodisias). 38 B.C.? *Aphrodisias*, nos. 10 and 11.

Octavian instructs someone called Stephanus to protect Plarasa-Aphrodisias, whose interests he has at heart above all other cities in Asia, in the absence of Antonius (this will hardly help to date the letter, for Antonius was only rarely in the province of Asia). The first line adds to the evidence on an interesting figure discussed in some typically illuminating pages by L. Robert,⁵⁰ and proves conclusively his view that Zoilus belongs in this period and not in the second century A.D. The documents are notable for Octavian's attachment to Aphrodisias, and the cult of Venus-Aphrodite, which he had inherited from Julius Caesar; he writes that he has "taken" for himself this one city from all Asia. The date will again be about 38 B.C., for Stephanus in his letter refers to the handing-over of free men and slaves and also a gold crown after the war of Labienus.

12. Letter of Octavian to Aphrodisias. 39–34 (39/8?) B.C. Sherck, *Roman Documents*, no. 28A; *Aphrodisias*, no. 6.

This letter to Aphrodisias from a Triumvir whose name is missing was earlier supposed, as in Sherck, *Roman Documents*, to be from Antonius, solely because Asia formed part of “his” territory. But its contents, and the comparison with no. 13, ought to have made it clear that it was from Octavian, even before the discovery of the Aphrodisias dossier. Octavian, as it certainly is, writes in response to a request brought by their ambassador, Solon, son of Demetrius (the same man as in no. 10), for copies of the documents granting them privileges (ll. 22–31). The careful distinction between the different forms of Roman official acts, *decretum* (?), *senatus consultum*, *iusiurandum*, and *lex*, and the reference to the public archives (in the *aerarium*),⁵¹ emphasises again the extent to which the Triumvirs, at least formally, operated within the framework of the *res publica*. The possible limits of the date are indicated by Octavian’s titulature as it survives: “consul designate for the second and third time,” so between 39 and 34 B.C. If this were the same journey on the part of Demetrius as that which produced no. 10, the document would date to the first year or so of the period.

13. Letter of Octavian to Rhosus, Syria. 36–34 B.C. *IGLS* III, no. 718; Sherck, *Roman Documents*, no. 58, i.

This is a covering letter ordering the filing in the public archives of Rhosus of no. 5 (nos. 16 and 17, which are inscribed on the same stone, were written later than this). Octavian surprisingly omits the title *triumvir rei publicae constituendae*, but is Imperator IV (from 36 B.C.) and consul designate for the second and third time, so 39–34 B.C. The date is therefore 36–34 B.C. He writes “What is written below has been excerpted from a pillar on the Capitol at Rome, and [I ask that it should be] filed in your public records.” Copies are also to be sent for registration to Tarsus, Antioch, and Seleucia. The letter is evidence that Octavian’s relations with cities in the Greek East were not confined to the special case of Aphrodisias; and, along with nos. 5–7, that Greek cities other than Aphrodisias continued to be in active contact with the institutions of the *res publica* in Rome.

14. Edict of Octavian on the privileges of veterans. 38–33 B.C.?, *BGU* II, no. 628; *CIL* XVI, p. 145. no. 10; Riccobono, *FIRA*² I, no. 56; Cavenaille, *Corpus Papyrorum Latinarum*, no. 103; S. Daris, *Documenti per la storia dell’esercito romano in Egitto* (1964), no. 100.

The edict is quoted in a Latin papyrus of the first century A.D., itself evidently part of a report of legal proceedings. It begins “Imp. Caesar

[d]ivi filius trium[v]ir rei publicae consultor(?)—or “consul ter” (= consul for the third time) or “consul iter.” (= consul for the second time) or “constit(uendae) iter(um)” (= to reorganize for the second time)—“said,” which seems to suggest a date between 38 and 33. The extremely legalistic terms of the document are noticeable, including for instance a provision for veterans to be enrolled in a certain tribe for the census and for voting purposes.

It will be convenient to complete the dossier with three “post-Triumviral” documents. It is to be emphasised that in all three the titulature of Octavian mentions no public office other than the consulate.

15. Letter of Octavian to Mylasa, Caria, in response to an embassy. 31 B.C. (or 32?). Sherk, *Roman Documents*, no. 60.

Octavian writes to Mylasa as “appointed as consul for the third time.” The titulature is puzzling, and the presence of the particle “and” after the word consul perhaps suggests that something has been omitted—he was Imperator V before Actium and VI after it. The expression *may* mean, as it is normally taken, that he was simply consul for the third time, that is, in 31. But might it not be a document of late 32, when (perhaps) his only official position was that of consul designate for the third time? The letter refers to two successive embassies which the Mylasans had sent to report their sufferings and losses in the war. On either of these datings this must refer to the preliminaries of the war of Actium.⁵²

16. Letter of Octavian to Rhosus, in response to an embassy. 31 B.C. *IGLS* III, no. 718; Sherk, *Roman Documents*, no. 58, iii.

Octavian writes as Imperator VI (after Actium), consul for the third time (31 B.C.) and “designated (consul) for the fourth time” (for 30), so in the last four months of 31. He mentions that the embassy from Rhosus met him in Ephesus and offered a crown and various honours (Dio indeed refers to his brief visit to Asia before his return to Italy in the middle of the winter of 31/0).⁵³ He undertakes to do the people of Rhosus further services when he comes to Syria, through which he did subsequently pass in 30 B.C.; and he testifies most emphatically to the constant intercessions which Seleucus, who was one of the ambassadors, had made on behalf of his city.

17. Letter of Octavian to Rhosus, recommending Seleucus. 30 B.C. *IGLS* III, no. 718; Sherk, *Roman Documents*, no. 58, iv.

Octavian writes as consul for the fourth time, but is apparently not yet

designated as consul for 29. He refers again to the services of Seleucus as naval commander, and to his immunity, Roman citizenship, and other privileges. He continues in a very significant manner: "I recommend this man to you. For such men render one's benevolence more ready towards their native cities as well. On the assumption therefore that I will gladly do for you whatever is possible for the sake of Seleucus, have confidence, and send to me on whatever matter you wish." Octavian writes as a monarch. If in 30 B.C. he expected or intended any future diminution of his effective power to confer benefits, there is no sign of it here. On the contrary he confidently expects, and even invites, petitions for benefits, which will be addressed to himself personally. It is here, rather than in the documents of the Triumvirate proper, with their recurrent formalism and repeated references to the institutions of the *res publica*, that a pattern appears in which decisions will be made by the untrammelled will and judgement of an individual.

It is striking how exactly these two letters match the assumptions of Virgil in the *Georgics*, which, according to the *Vita* by Donatus (27/91–95), were read to Augustus at Atella in 29: ". . . while great Caesar thunders to the deep-flowing Euphrates and, as victor in war, gives out rights, among the willing peoples and prepares for himself the road to Olympus" (4, 560–62).

Triumviral Functions and the Emergence of Personal Jurisdiction

As we have seen, the only attested formal definition of the Triumvirs' power in relation to the Republican magistrates is that it was to be consular. What the powers of a Triumvir were in Rome therefore remains unclear; and the obscurity is increased by the fact, which Dio carefully notes, that the successive divisions of territory between them never included Rome and Italy. For, as he says with the rather undervalued acerbity with which he records the emergence of monarchy, they were supposed to be striving not to gain Italy but on its behalf.⁵⁴ One respect in which they were clearly distinguishable from the consuls while in Italy did emerge in 41 B.C.: the Triumvirs had a praetorian cohort, but the consuls did not.⁵⁵ The rest of the apparatus of Triumviral office seems, however, to have been very similar to that of the consuls. An anecdote in Appian shows them seated on the tribunal in the Forum (*BC* 4, 37/157). As we have seen, they were granted the right to convene the Senate; when in 32 B.C. Octavian summoned the Senate and sat on the consuls' bench (Dio 50,

2, 5), and later continued to summon and address it when the consuls had fled (50, 3, 2), it is to be presumed that he was exercising a triumviral right, whether formally lapsed or not. Like other magistrates, they could also issue pronouncements as edicts, of which we have seen some examples among the documents listed above. Such was presumably the proclamation quoted by Appian, in which the Triumvirs announced the proscriptions: as given, it begins with the conventional terminology of an edict: “they say.”⁵⁶

However, it was an inevitable product of the situation that embassies, petitioners, and perhaps ordinary litigants should address themselves directly to the Triumvirs, or to one or two of them, and thereby tend to isolate them from the environment of Republican institutions, and to create a monarchical situation in which decisions were made by individual pronouncement. We have already seen a number of instances of embassies to one or other of them, and the literary sources offer more.⁵⁷ Individual petitioners took the same course. Perhaps the best illustration of the working of government in the period is provided by the so-called *Laudatio Turiae*.⁵⁸ The husband of the unnamed matron records that he was restored from exile “by the favour and judgement of the absent Caesar Augustus” (“beneficio et i[ud]icio apsentis Caesaris Augusti”) (the document was inscribed after 27 B.C.), but that in his absence actual permission for his return had to be sought from Lepidus—“when seeking my restitution, you petitioned the then present colleague, Lepidus, and lay on the ground at his feet.” In the face of abuse and physical assault the matron (apparently) managed to quote Octavian’s edict of restitution. Similarly, another priceless and undervalued contemporary source, Cornelius Nepos, in the *Life of Atticus*, records that Atticus’ daughter was married to Agrippa, with Antonius acting as mediator “although he might have increased his possessions through his influence, so far was he [Atticus] from a lust for money that he only used that influence in begging for the removal of his friends’ dangers or inconveniences” (12, 2). Against this background there is surely no difficulty in accepting that Virgil in the *First Eclogue* (42–5) is referring to a successful petition to Octavian:

Here, Meliboeus, I am that youth for whom our altars smoke twice six days and years. Here he was the first to give my plea an answer (“hic mihi responsum primus dedit ille petenti”): “Feed, swains, your oxen as of old; rear your bulls.”

A major public episode was the petition of the married women

(*matronae*) to the Triumvirs over an imposition of a tax, recorded by Valerius Maximus (8, 3, 3) and Appian (*BC* 4, 32–4/136–46): since none of the men would offer their advocacy, Hortensia, the daughter of Hortensius, “pleaded the women’s cause before the Triumvirs firmly and successfully: imitating her father’s eloquence, she obtained the remission of the greater part of the money demanded from them.” According to Appian the scene took place before the tribunal of the Triumvirs in the Forum, and they first had the women driven off by their lictors, and then announced a reduction in the tax on the next day.

It is not an accident that the episode concerns the demand for a benefaction which is granted by the simple pronouncement of the Triumvirs, or that in describing the petition Valerius Maximus resorts to the typical vocabulary of the law court. For precisely one of the characteristics of monarchy is the blurring of the distinction between the issuing of decisions and giving of legal judgements by the holder, or holders, of power. As Mommsen notes,⁵⁹ Quintilian alludes to this development in just this period in discussing the occasions and functions of “pleas for mercy” (*deprecationes*)—“Pleas for mercy, which are not in any sense a method of actual defence, can rarely be used, and only before judges who are not limited to some precise form of verdict. Even those speeches delivered before Gaius Caesar and the Triumvirs on behalf of members of the opposite party, although they do employ such pleas for mercy, also make use of the ordinary methods of defence.” He continues directly to the situation of speaking before the *princeps*—“But if when pleading before the *princeps* or any other person who has power either to acquit or condemn, it is incumbent on us to urge. . . .”⁶⁰

Summary, semi-judicial procedures for disposing of enemies taken in the field are amply attested for the Triumviral period,⁶¹ right down to Octavian’s hearings in 31 and 30.⁶² These are of course a crucially important instance of the arbitrary exercise of power in this period. But in the long term, for the fundamental transformation of the Roman state, the development of a routine personal jurisdiction by the holder of individual power is of much greater importance. The complexities of this development, which can be roughly described as the introduction into the city of Rome of the system of “investigation” (*cognitio*)⁶³ by a republican provincial governor, cannot be discussed here. But it must be emphasised that we have excellent evidence, which seems to be neglected both in books on Julius Caesar⁶⁴ and in

those on the legal procedure of the late Republic,⁶⁵ that Caesar as dictator exercised a routine personal jurisdiction in Rome—"he administered justice most conscientiously and most severely," as Suetonius records (*Div. Jul.* 43). The generalization is confirmed by two anecdotes. Valerius Maximus (6, 2 11) tells a story of Galba, "who dared to accost the deified Caesar in this manner when the latter, his victories accomplished, was dispensing justice in the forum." From the same period, after Munda, Seneca (*De benef.* 5, 24) records an incident when a veteran of Caesar's army was engaged in a case before him which concerned nothing more than a dispute between himself and his neighbour. It is clear that the fact that the man was a veteran was *not* the reason why the case came to Caesar. For it is only in the middle of the proceedings that he succeeds in establishing his identity as such, and hence his claim to a benefaction. Caesar is described as "angry because diverted in the middle of the investigation by this old story." So the procedure was that of *cognitio*, and the point at issue an entirely insignificant matter. (Whether it was a civil or a criminal case is not entirely clear.)

Whether it results from the limited nature of our sources or not, it is a fact which has not yet received its due emphasis that there is very little evidence for a routine personal jurisdiction by the Triumvirs in minor, non-political matters, and none at all for its exercise in Rome. The evidence of Triumviral jurisdiction other than over Roman political enemies in fact all relates to Antonius. Plutarch's *Life* records "that in his judicial decisions he was reasonable" (23), and that he often gave judgement "seated on a tribunal" to tetrarchs and kings (58). An example, illustrating the confusion between judgement and political decision, will be the accusations against Hyrcanus and Herod⁶⁶ which preceded the steps which produced documents 1–3. We have two specific instances of cases before Antonius: Lachares, the father of Eurycles, was beheaded by him for robbery (Plut., *Ant.* 67); and Boethus of Tarsos was accused before him of peculation, but evidently acquitted (Strabo 674). That jurisdiction was part of his normal routine seems clear from Appian's description (*BC* V, 76/324) of his emergence from his Athenian holiday over the winter of 39/8 B.C.: standards, guards, and officers were seen at his door, embassies were received, and cases decided.

As regards Octavian, by contrast, who was of course based in Rome, we have no concrete instances of routine jurisdiction, and no general reference to the issue until we reach the notoriously puzzling

reference in Dio (51, 19, 6–7) to a vote in 30 B.C. which allowed him, among other things: “to administer justice on appeal.” It is not necessary to discuss the peculiarities of this report, or whether the right was actually accepted by Octavian at this time, and, if so, how it relates to the later exercise of jurisdiction by the *Princeps*. It is important to stress instead what has sometimes been denied⁶⁷—that a routine jurisdiction was subsequently exercised by Augustus himself, not just in the provinces,⁶⁸ or on appeal,⁶⁹ but in Rome and Italy and as the court of first instance, and in both civil and criminal cases.⁷⁰ The routine nature of the work is clear from Suetonius: “he himself gave jurisdiction assiduously and on occasion into the night, and if he were physically too weak would do so with his litter placed on the tribunal, or even lying down at home” (33); “of his country retreats he particularly frequented Tibur, where he very often gave jurisdiction, even in the porticoes of the temple of Hercules” (72).

In this important respect therefore the Triumvirate, so far as our evidence goes, may perhaps mark if anything a slight step back in the development of a monarchic institution which was already known before, in the dictatorship of Caesar, and which was to come into full effect in the principate of Augustus.

The “Restoration of the Republic”

Nothing said thus far is claimed to prove that the period of the Triumvirate was not one where violence and illegality played a crucial role. But the discussion will, it may be hoped, have emphasised that the Triumvirate was an institution which was created by a form of law, and which was superimposed on, but did not replace, the institutions of the *res publica*. In consequence, it exhibited many of the ambiguities in the exercise of authority, and many of the compromises between individual power and traditional institutions which characterise the Principate itself. Moreover, the existence of suspicions and rivalries between the Triumvirs caused them, in the search for political support, to pay repeated lip service to the Senate and the Roman people. Not only did the *res publica* survive, if much weakened, but the “Augustan” revival might be considered to have begun in the later thirties, with the building programme of Agrippa as aedile in 33; and its characteristic archaism is already visible in the use of the Fetial rite to declare war in 32.⁷¹ When Atticus died on the last day of March 32 B.C., and was buried “escorted by all men of substance and by very large crowds of the common people,”⁷² the outward

appearance of Roman life must have been much as it had always been. It is against this background that we can come back to the two central questions. What really changed in the development from Triumvirate to Principate? And, more important even than the facts of constitutional change, what did men think and say had happened, and how did they characterise the “new order” in which they lived?

As is notorious, our evidence does not serve to resolve unambiguously the question of when the Triumviral powers came to an end, either in strict theory or in practice.⁷³ All that we can say for certain is that from 31 onwards, indeed until his assumption of the tribunician power in 23, the only actual office or power which the titlature of Octavian/Augustus reveals is that of consul. In this formal and outward aspect the only change in 27 was the appearance of the cognomen “Augustus.”

There were of course more substantial changes, but their character and significance still require re-examination against the Triumviral background. In 28 Dio records that Octavian shared the *fascēs* with Agrippa and his colleague in the consulate,⁷⁴ a gesture evidently intended as a symbol of normality, but one whose significance we cannot interpret for lack of evidence from the preceding period. In the same year, as we have noted (see text to n. 2), he abolished the illegal acts of the Triumvirate and, at the end of it, took the customary oath of a consul leaving office.⁷⁵ Tacitus indeed appears to couple with this abolition, and to place in this year, the substantial steps which created the Principate—“Finally Caesar Augustus, when consul for the sixth time, secure in his power, abolished what he had decreed as triumvir and gave us the laws by which we enjoy peace and the rule of a Princeps.”⁷⁶ As so often with Tacitus, we cannot discern precisely to what he is referring. Augustus himself (*RG* 34) speaks of his sixth and seventh consulates. Dio, however, clearly relates the essential change to the “settlement” of 27.

Of the changes which now took place, those affecting the government of the provinces at least are reasonably clear.⁷⁷ The Triumvirs had been empowered to appoint all provincial governors, and we have adequate evidence of their doing so,⁷⁸ and of Octavian continuing to do likewise between Actium and 27.⁷⁹ But it should be noted that the republican title proconsul (*pro consule*) had not been abandoned,⁸⁰ though *legatus pro praetore* (legate with praetorian rank), first attested in the seventies B.C.,⁸¹ is found also, though in Sicily under Sextus Pompeius.⁸² More significantly, these proconsuls,

although they were the appointees of, and in some sense subordinate to, the Triumvirs, continued to celebrate triumphs⁸³ (a fact which surprised Dio).⁸⁴ In 29 B.C., however, Octavian shared the triumph of Gaius Carrinas (Dio 51, 21, 6), and denied the deposition of the *spolia opima* (spoils removed from an enemy general by the Roman commander who had personally killed him in battle) to Licinius Crassus (Dio 51, 24, 4; cf. Livy 4, 20, 5–7). From 27 B.C. some provincial governors continued to have the title proconsul, and appointment by lot was now restored in their case.⁸⁵ But the governors of most of the major military provinces lost this title in favour of *legatus*, and continued to be appointed by Augustus; how soon the full title, “legatus Augusti pro praetore” (a legate of Augustus with praetorian rank), came into regular use is curiously difficult to determine;⁸⁶ but “leg. Augusti” appears on coins of P. Carisius in Lusitania in the mid 20s B.C.,⁸⁷ and “leg. imp. Caesaris Aug.” (*ILS* 929) is used of Articuleius Regulus, governor there in the period A.D. 2–14. The change was thus far from being unambiguously a step in the direction of republicanism; our evidence provides only a single uncertain instance from the Republic of a legate using his commander’s name in his title.⁸⁸ Moreover, while proconsuls continued for a few years, down to 19 B.C., to celebrate triumphs, no legate appointed by Augustus ever did, or could.

The notion that these two methods of appointment and two forms of titulature reflected a fundamental division of political and administrative responsibility between Princeps and Senate is an illusion.⁸⁹ Nor can we tell what formal description was applied to Augustus’ position in relation to the imperial provinces. It may be that he was formally proconsul of these provinces while concurrently holding the consulship (Pompey had already been proconsul of Spain—Caes. *BG* 6, 1, 2—when elected consul in 52 while continuing his command; cf. Vell. Pat. 2, 48, 1); but no document gives Augustus or any other emperor the *title* of proconsul until the reign of Trajan.⁹⁰ It may be, alternatively, that some formula employing the term “proconsular *imperium*” (*imperium proconsulare*), or a similar expression, was devised; but for that we have no evidence at this stage. It remains entirely open to suggest that the provincial aspects of the settlement of 27 amount, on Augustus’ side, simply and solely to the right to appoint legates as governors of most of the major military provinces.

As regards the city magistracies, our evidence tends to suggest that the

form of republican elections had continued through the Triumviral period (see text to nn. 23–39). If that is correct, and it is not certain, then when Dio asserts (53, 21, 6–7) that electoral assemblies began to meet again from 27 onwards, we may take this as a reference to the recommencement of genuine competition for election, which is clearly attested for the Augustan period; the competition was limited in practice, but not formally, by imperial recommendation (*commendatio*).⁹¹ (Nonetheless, our sources do in certain instances speak of Augustus “offering” or “giving” the consulate to a man.⁹²) As regards the holders of the city magistracies, no change was made in their powers in 27, for no formal change had been made in the Triumviral period.

Thus the changes which culminated in 27 were of a fairly limited kind, and not all of them clearly tended towards a revived Republic. But that brings us to our central question: now that we have seen the extent to which the institutions of the *res publica* survived through the Triumviral period, what evidence have we to justify the normal view that 27 saw either a real or a proclaimed “Restoration of the Republic”?⁹³

The question involves acute problems as to what terms are used in our sources to describe the change of 27 or the state of affairs resulting from it, and what these terms meant at different periods. When if ever, for instance, was *res publica* used to mean “the Republic” in our sense? It surely has something like that meaning in one passage of Tacitus, referring to the year A.D. 14: “how many were left who had seen the Republic with their own eyes?”⁹⁴ But did it have the same meaning in the 20s B.C.? Already in 29 B.C. the Senate and People of Rome had made a dedication to Octavian “the *res publica* having been preserved” (*re publica conservata*).⁹⁵ More important perhaps is a passage from the third book of Livy, written precisely in the two years after 27 B.C.⁹⁶ Here Livy describes the Senate’s reaction to a determined and patriotic speech by L. Quinctius Cincinnatus, consul in 460 B.C.: “the uplifted senators believed that the *res publica* had been restored.”⁹⁷ “Res publica” here means “the state” or “the condition of public affairs,” and certainly cannot mean anything like “the Republic.”

This passage also serves to emphasize that, even if it were the case that contemporary sources consistently used “*res publica restituta*” of the change completed in 27, this is not likely to have meant that “the Republic was restored.” In fact it is remarkable, firstly, how little

reflection the event has in contemporary literature—nothing in Virgil, Horace or Propertius echoes it—and, secondly, how varied are the expressions used in those literary and documentary sources which do refer to it. The expression “*res publica restituta*” is used almost certainly in the *Laudatio Turiae* (text to n. 58), ii, 25, “the world having been pacified, [and] the *res publica* restored”; and possibly in the *Fasti Praenestini* for January 12:⁹⁸

[The Senate decreed] that an oak crown should be fixed above the door to Caesar Augustus’ house [because he restored the *res publica*] to the Roman people.

It must be emphasised that these two cases are the *only* ones in which the expression is used, or may be used. In Ovid, *Fasti*, under 13 January, a quite different formulation appears (1, 589–90): “all the provinces have been restored to our people, and your grandfather was called by the name Augustus.” Alternatively, coins of 28/7 B.C. have “vindicator of the liberty of the Roman people” (*Libertatis p.R. vindex*).⁹⁹ What might be taken as a reference to the restoration of political liberty is in fact more precisely a reference to the end of the civil war; the reverse of the coins has “peace” (*pax*), and the *Fasti* note on August 1 “since on this day Imperator Caesar son of the deified Julius delivered the *res publica* from terrible danger.”¹⁰⁰

Our most general statement comes from the loyalist Velleius; in describing the general settlement of affairs after the end of the civil wars he echoes in part the words of Cicero addressing Julius Caesar in *Pro Marcello* 23: “It is for you alone [to do], Gaius Caesar, . . . the courts must be re-established, credit must be called back, licentiousness must be curbed, population growth must be encouraged; all that has become disintegrated and dissipated must be bound by severe laws.” Velleius’ version is more detailed and ornate: “The civil wars were ended after twenty years, foreign wars suppressed, peace restored, the frenzy of arms everywhere lulled to rest; validity was restored to the laws, authority to the courts, and dignity to the Senate; the power of the magistrates was reduced to its former limits, with the sole exception that two were added to the eight existing praetors. The old traditional form (*forma*) of the *res publica* was restored.”¹⁰¹ We could reasonably paraphrase this passage as “Augustus restored the *res publica*,” but not as “Augustus restored the Republic.” The reference to the raising of the number of praetors from eight to ten shows how precise and restricted is the meaning of “the form of the *res publica*” in this context.

Our most valuable source for these events would have been Livy. But while his preface refers to the closing of the gates of Janus in 29 (1, 19, 3), it happens not to refer to the political settlement which followed. However, insofar as we may judge by the *Epitome* 134, when he came to the settlement he described it in neutral terms: "Gaius Caesar, when everything had been put in order, and all the provinces brought within a definite framework, also received the *cognomen* Augustus." It is unnecessary and pointless to go on to list the references in later authors to the settlement of affairs at this time, for our concern is essentially with how it was described and thought of by contemporaries. But we may note the two well-known passages in which Tacitus characterises the development of Octavian from triumvir to princeps:

Ann. 1, 2: After he laid down the name of triumvir, he conducted himself as consul, and as content with (having) the tribunician power with which to protect the plebs.

Ann. 3, 28: Finally Caesar Augustus, when consul for the sixth time (A.D. 28), secure in his power, abolished what he had decreed as triumvir and gave us the laws by which we enjoy peace and the rule of a *Princeps*.

In both of these passages Tacitus alludes to, rather than describes, features of Augustus' position in the 20s B.C. Neither reflects any knowledge of a claim that the Republic had been restored. In fact the only statement in our sources which can be interpreted as making a claim of that sort comes from Augustus himself in *Res Gestae* 34. However well known, his words still need reconsideration:

In my sixth (28) and seventh (27) consulships, after I had extinguished the flames of the civil wars, and had gained control of all things by universal consent, I transferred the *res publica* from my own power [*potestas*] to the discretion [*arbitrium*] of the Senate and the Roman people. For this worthy act of mine I was named Augustus. . . . After this time I stood above everyone else by virtue of my *auctoritas*, but I did not have any more power than the other colleagues serving in office with me.

Augustus' words are carefully chosen: except for the consulates of 27–23, 5, and 2 B.C. he never held any republican magistracy after 27 January. What he says can only be absolved of actual falsehood by being understood to mean, in the strictest sense, that as consul he had no powers greater than those of his successive colleagues. But at all times he held other powers which they did not, in the initial period

specifically the right to appoint legates to govern his provinces (see text to nn. 86–88); and after 23 B.C. his occasional consulates were essentially irrelevant to his position.

So we have to be cautious in considering the words he uses to describe the events of 28 and 27. He conspicuously fails to claim any constitutional basis for his power up to that point. But what he does claim is that he transferred the *res publica* to the *arbitrium* of the Senate and the Roman people. We cannot, in interpreting this, disregard the view of our only narrative source for these events, Cassius Dio, who considered that the offer of resignation of his powers made by Octavian in January 27 B.C. was a charade which was deliberately intended to, and immediately did, result in a formal continuation of his control of the state.¹⁰² The word “discretion” (*arbitrium*), again, can refer to a historical fact if it alludes to Octavian’s offer and the subsequent vote of Senate and People in January 27 B.C.; but if it carries an implication of a continued political freedom lasting beyond that point, that is another matter.

To Dio, of course, there never was any such event as the restoration of the Republic; for he, like Appian (*Hist., praef.* 14/60), regarded Actium as the moment when monarchy returned to the Roman world.¹⁰³ It should, however, be noted that he, Appian, and Suetonius all refer to proposals or promises, made at various times by Octavian and Antonius, which would have amounted to “restoring the Republic.” The form of words used is almost always that of *giving back* power:

36 B.C. Appian, *BC* 5, 132/548: “Caesar . . . said that he would give back the whole *res publica*, if Antonius came back from Parthia.”

34 B.C. Dio 49, 41, 6: “Now while Antonius was engaged as described, he had the effrontery to write to the Senate that he wished to give up his office and put the whole administration of the state into the hands of this body and of the people.”

32 B.C. Dio 50, 7, 1: “Antonius . . . promised that that within two months after his victory he would relinquish his office and restore to the Senate and people all its authority.”

30 B.C. Suetonius, *Div. Aug.* 28: “Twice Augustus thought of giving back the *res publica*: immediately after the fall of Antonius, when he remembered that Antonius had often accused him of being the one obstacle to such a change; and again when he could not shake off an exhausting illness. He then actually summoned the magistrates and the Senate to his house and gave them a financial account of the state

of the empire.”

29 B.C. Dio 52, 1, 1: “After this they [the Romans] reverted to what was, strictly speaking, a monarchy, although Caesar planned to lay down his arms and to entrust the management of the state to the Senate and to the people.”

The last passage serves only as an introduction to the debate of Agrippa and Maecenas, and need not be taken as evidence of an intention by Octavian specifically in 29 to restore power to Senate and People. It should be noted that the earlier passages all refer to unfulfilled public promises from the Triumviral period, and that of Suetonius to an unfulfilled private intention. Suetonius gives no hint of an awareness that it had ever been claimed that the event in question had actually occurred.

However, since men writing in the established Empire could hardly have doubted that they were living under a monarchy, it might reasonably be objected that this has coloured their view of the crucial transitional period. So we may come finally to the essential question—how did the matter seem to contemporaries? First we may note the remarkable frankness with which Cornelius Nepos, writing some time after the death of Atticus at the end of March 32, and apparently after the death of Antonius, characterises the ambitions of the two Triumvirs—“when each of them desired to be the first man [*princeps*] not only in Rome but also in the entire world.”¹⁰⁴ This passage was probably written before January 27. But the preface of Vitruvius’ *De architectura* is another matter, for it seems certain that it was written after January 27, and not later than 23 B.C.¹⁰⁵ The tone of his address to Augustus in his preface is therefore of primary importance for assessing the conceptions which obtained in Rome in the 20s:

When your divine mind and power, Emperor Caesar, put the whole world under its command, your citizens gloried in your triumph and victory: for all their enemies were crushed by your invincible courage and all mankind obeyed your bidding. The Roman people and Senate, liberated from fear, has been guided by your bountiful thoughts and counsels. . . . When I observed that you cared not only about the common life of all men and the constitution of the state, but also about the provision of suitable public buildings. . . . Since, however, it was the heavenly counsel to commit him [Julius Caesar] to the regions of immortality and transfer imperial control to your power.

The passage contains no precise allusions to the current constitutional position. But its unabashed acceptance of the personal dominance of

Augustus is unmistakable. Moreover, and this is the essential point, its obsequious flatteries could certainly be disregarded and considered as of no historical significance *if* they had been written under any conditions *except* those supposed by modern scholars, namely a recently proclaimed “restoration of the Republic.” Had such a thing been proclaimed, Vitruvius’ words would have been grossly undiplomatic—and would not have been written.

The same considerations apply, with rather less force, to a number of passages in Horace and Ovid. None is very precise or significant in itself, and most are less close in time to 27 B.C. than the preface of Vitruvius, but all are incompatible with the hypothesis that Augustus had proclaimed a restoration of the Republic:

Horace, *Odes* 1, 12, 49–52: “O father and guardian of the human race, thou son of Saturn, to thee by fate has been entrusted the charge of mighty Caesar; mayst thou be lord of all, with Caesar next in power . . .” and later (58) “second to thee alone shall he with justice rule the broad earth.”

Horace, *Odes* 3, 14, 14–16: “Neither civil strife nor death by violence will I fear, while Caesar holds the earth.”

Horace, *Odes* 4, 5, 1–2: “Sprung from the blessed gods, best guardian of the race of Romulus, too long already art thou absent”; cf. 4, 15, 17: “while Caesar guards the state.”

Ovid, *Fasti* 1, 531–32: “In the line of Augustus the guardianship of the fatherland shall abide: it is decreed that his house shall hold the reins of Empire.”

Ovid, *Fasti* 2, 138–42: “All that exists beneath the canopy of Jove is Caesar’s own. . . . Thine was a rule of force: under Caesar it is the laws that reign. Thou didst the name of master bear: he bears the name of *princeps*.”

Ovid, *Tristia* 4, 4, 13–16: “Even the father of his country [*pater patriae*]—and what can be more like the behaviour of a fellow citizen?—submits to frequent mention in my verse, nor can he prevent it, for Caesar is the *res publica*, and of the common good I too have a share.”

Nothing much needs be claimed for these well-known passages, except that they reveal a perfectly open recognition of the control of the Roman state by one man. With the exception of one of the passages of Ovid (*Fasti* 2, 138–42), none betrays the slightest anxiety to cloak this domination in constitutional forms. Even more emphatic is Horace in *Epistulae* 2, 1, 1–4:

While you sustain so many and so heavy tasks alone, protect the life of Italy with arms, and adorn it with good customs, reform it by laws, I would be committing a sin against the public interest if by a prolonged discourse I were to interrupt your urgent concerns, Caesar.

Augustus himself objected to being acclaimed publicly as “master” (*dominus*),¹⁰⁶ refused the dictatorship in 22 B.C.,¹⁰⁷ and at the end of his life claimed, somewhat disingenuously as we have seen, to have excelled others only in authority (*auctoritas*). But he too had no hesitation in recognising the facts of his position. In a letter to his grandson Gaius he wrote, “But I pray to the Gods that whatever time is left to me I may pass with you safe and well, with the *res publica* in a flourishing condition, while you are playing the men and preparing to succeed to my position [*statio mea*].”¹⁰⁸ “*Res publica*” here means just what it does in a letter of Ateius Capito, who died in A.D. 22, referring to the love of liberty which possessed his great rival Antistius Labeo. “But an excessive and mad love of liberty possessed the man, to such a degree that, although, the deified Augustus was then *princeps* and in control of the *res publica* [*rem publicam obtinebat*], he looked upon nothing as lawful, and accepted nothing, unless he had found it ordered and sanctioned by the old Roman law.”¹⁰⁹

Labeo thus saw the principate of Augustus in a light not entirely different from that in which Cascellius had seen the Triumvirate. Moreover, even the complaisant Capito regarded the principate as a state of affairs in which Augustus was “in control of the *res publica*.” That the *res publica* had been duly “restored”—*restituta*—by Augustus he would surely have agreed; but he clearly did not suppose that it had ever been given back—*reddita*.

The regimes of Julius Caesar, of the Triumvirs, and of Augustus all had to adjust themselves in differing ways to the *res publica* of Rome and its institutions, whose tenacity in survival was to be one of the most remarkable features of imperial history. The temporary nature of the Triumvirate, its very lack of definition, and the competition for political support between its three, and then two, holders, caused it to be, if anything, more dependent on the Republican institutions than were the regimes of Caesar and of Augustus which preceded and followed it. The victory of Actium, the death of Antonius, and the stabilization of affairs in Rome all marked steps towards, not away from, the establishment of a monarchy; and no good evidence suggests that anybody at the time claimed, or supposed, otherwise.

NOTES

*First published in *JRS* 63 (1973): 50–67. An earlier version of this chapter was given at a research seminar in Berkeley in the autumn of 1968, and part of a more recent version at the Scuola Normale Superiore at Pisa in January 1973. It is offered here first and foremost as a tribute to Sir Ronald Syme; secondly as an attempt to make some preliminary remarks about the unpublished Triumviral documents from the excavations by Professor Kenan Erim at Aphrodisias, which Miss J. M. Reynolds has very kindly allowed me to use; and thirdly as the last of a series of preliminary studies towards a book to be called *The Emperor in the Roman World*. I am most grateful for critical comment (and general disagreement) to Professors E. Badian and G. W. Bowersock in Harvard and A. D. Momigliano and E. Gabba in Pisa, and to Miss Reynolds for generous advice and assistance. [The note has been left as it stood in 1973. *The Emperor in the Roman World* was published in 1977, and J. M. Reynolds, *Aphrodisias and Rome* was published in 1982.]

1. Val. Max. 6, 2, 12.

2. Dio 53, 2, 5; cf. Tac., *Ann.* 3, 28, 3.

3. Tac., *Ann.* 3, 28, 1.

4. For the direct evidence on the provincial aspects of the settlement of 27, see *JRS* 56 (1966): 156–57 (chapter 11 in this volume).

5. V. Fadinger, *Die Begründung des Prinzipats: quellenkritische und staatsrechtliche Untersuchungen zu Cassius Dio und der Parallelüberlieferung* (Diss. Munich, 1969), esp. 31–83.

6. See Livy, *Epit.* 120; *Res Gestae* 1, 7; Vell. Pat. 2, 69.

7. A. Degraffi, *Inscriptiones Italiae* XIII, 1: *Fasti Consulares* (1947), 273–74.

8. A. H. M. Jones, “The Elections under Augustus,” *JRS* 45 (1955): 9 = *Studies in Roman Government and Law* (1960), 27; P. A. Brunt, “The Lex Valeria Cornelia,” *JRS* 51 (1961): 71; B. M. Levick, “Imperial Control of the Elections under the Early Principate,” *Historia* 16 (1967): 207.

9. R. Frei-Stolba, *Untersuchungen zu den Wahlen in der römischen Kaiserzeit* (1967). On the period from 42 to 28 B.C., see pp. 80–86.

10. Dio 47, 15, 2–3.

11. Dio 47, 19, 4.

12. Dio 48, 32, 1 and 3.

13. Dio 48, 35, 1–3. Under 31 B.C. Dio duly notes that the arrangement of eight years before had been that Octavian and Antonius should be consuls, 50, 10, 1.

14. Dio 48, 36, 4; 54, 6.

15. I am indebted to Professor Badian for emphasising to me the importance of indicating the extent to which Triumviral irregularities increased or decreased in the course of time.

16. Dio 48, 43, 2.

17. Dio 48, 53, 1–3.

18. One may note a couple of suffect praetors in 33, Dio 49, 43, 7.

19. Appian, *Illyrica* 28/80; Dio 49, 43, 6.

20. Plut., *Cic.* 49.

21. Aelian, *Apospasmata* 66. Cf. *Dig.* 1, 14, 3.

22. Dio 51, 23, 1.

23. Dio 49, 16, 2.

24. *BC* 4, 17–18/68–70.

25. Val. Max. 9, 11, 6.

26. Appian, *BC* 5, 20/79.

27. Appian, *BC* 5, 132/548.

28. Dio 51, 21, 1–2 (Valerius Potitus, suffect consul of 29).

29. Dio 48, 32, 4; Vell. Pat. 2, 79, 6, M. Titius “giving games in the theatre of Pompey,” presumably as suffect consul in 31; Dio 48, 20, 2, Agrippa as praetor in 40 giving the *ludi Apollinares*.

30. Dio 49, 42, 2, Aemilius Lepidus Paullus, suffect consul of 34, dedicating the Basilica Aemilia; 49, 45, 1–5, Agrippa’s building programme as aedile in 33.

31. Appian, *BC* 4, 37/158; 45/193.

32. Dio 49, 41, 4.

33. Dio 50, 2, 3.

34. Appian, *BC* 4, 51/221.

35. See also Dio 47, 18–19, and Triumviral Documents, no. 6.

36. *ILS* 73 “To the deified Julius by order of the Roman people. It was ordered in the Lex Rufrena”; cf. *ILS* 73a. See *Diz. Epig.*, s.v. “lex,” 730–1; Degrassi, *ILLRP* I², 409.

37. Dio 48, 33, 5 etc. *Diz. Epig.*, s.v. “lex” 731–2. See Broughton,

38. Appian, *BC* 5, 131/543; Dio 49, 15, 5–6; 51, 19–20.

39. *RG* 8; Tac., *Ann.* 11, 25, cf. Dio 52, 42, 5. For other possible laws of this period, see G. Rotondi, *Leges publicae populi Romani* (1912), 435–41.

40. Dio 48, 33, 2–3.

41. Josephus, *Ant.* 14, 14, 4–5 (384–89). For the date and circumstances, see now E. Schürer, *The History of the Jewish People in the Age of Jesus Christ*, ed. G. Vermes and F. Millar, I (1973), 281.

42. Dio 48, 34, 1.

43. Dio 48, 53, 5–6.

44. E.g., Appian, *BC* 5, 130/538, 541; Dio 49, 43, 6; 45, 1; Appian, *Illyrica* 28/83.

45. Appian, *BC* 4, 45/193.

46. First published by K. Erim, *PBSR* 37 (1969): 92–95; see T. Drew-Bear, *ZPE* 8 (1971): 285–88, and for a full discussion his “Deux décrets hellénistiques d’Asie Mineure,” *BCH* 46 (1972): 435, on pp. 443–71; now, J. M. Reynolds, *Aphrodisias and Rome* (1982), no. 5.

47. See R. Syme, “Imperator Caesar, a Study in Nomenclature,” *Historia* 7 (1958): 172 = *Roman Papers* I (1979), 361; R. Combès, *Imperator* (1966), 132–35.

48. Mommsen, *Staatsrecht* III, 312, n. 2. S. Weinstock, *Divus Julius* (1972), 402, suggests, surely wrongly, that this is a letter from the Senate.

49. Weinstock (n. 48).

50. L. Robert, “Inscriptions d’Aphrodisias,” *Ant. Class.* 35 (1966): 401–32.

51. See *JRS* 54 (1964): 34–35 (= chapter 2 in *Rome, the Greek World, and the East*, vol. 2); cf. M. W. Frederiksen, “The Republican Municipal Laws: Errors and Drafts,” *JRS* 55 (1965): 183, on pp. 184–87.

52. For comparative evidence, see Magie, *Roman Rule in Asia Minor* (1950), 439–40 and notes. If, however, the titulature has been seriously abbreviated, it remains possible that Octavian wrote as consul designate for the second and third time, i.e., in 39–34, and that these embassies too referred to the war of Labienus.

53. Dio 51, 4, 1–3.

54. Dio 48, 2, 1.

55. Appian, *BC* 5, 21/82. Cf. Seneca, *Ep.* 114, 6, the seal being obtained from Maecenas “when he performed the tasks of the absent Caesar.” For further evidence, see M. Durry, *Les cohortes prétoriennes* (1938), 76–77; A. Passerini, *Le coorti pretorie* (1939), 30–33.

56. Appian, *BC* 4, 8–11/34–44. It is not clear what was the form of the pronouncement quoted in 4, 38/159, by which Messala was removed from the list of the proscribed. But the term “edict of proscription,” applying to an individual, is attested in Seneca, *De clementia* 1, 9, 5.

57. Plut., *Ant.* 24; Jos., *Ant.* 14, 12, 2 (301); Appian, *BC* 4, 47/201; 5, 52/216.

58. *CIL* VI, 1527 = *ILS* 8393: M. Durry, *Eloge funèbre d'une matrone romaine (éloge dite de Turia)* (1950), II, lines 21–28.

59. *Strafrecht*, 144, n. 5.

60. Quintilian, *Inst. Orat.* 5, 13, 5–6 (Loeb trans.).

61. The evidence is collected and discussed only, so far as I know, by H. Volkmann, *Zur Rechtsprechung im Principat des Augustus*² (1969), 11–50.

62. Val. Max. 1, 7, 7; Plut., *Ant* 72; Dio 51, 2, 4–6; 51, 16, 1.

63. Not “cognitio extra ordinem,” an expression which, as indicated in *JRS* 58 (1968): 222, is a grammatical monstrosity, since “extra ordinem” (out of order) is an adverbial phrase, which can qualify various verbs including “cognoscere” (to investigate), but is not found as an adjectival phrase. The modern use of the pseudo-concept “cognitio extra ordinem,” even in the titles of books—some are listed in M. Kaser, *Das römische Zivilprozessrecht* (1966), 339—is a classic instance of the process of nominalization brilliantly discussed by D. Daube, *Roman Law: Linguistic, Social and Philosophical Aspects* (1969), chap. 1.

64. No trace of the question in the excellent work of M. Gelzer, *Caesar: Politician and Statesman* (1968).

65. Even A. H. J. Greenidge, *The Legal Procedure of Cicero's Time* (1901), contains no discussion of the jurisdiction of Caesar as dictator.

66. Jos., *Ant.* 14, 12, 2 (302–3).

67. E.g., by J. Bleicken, *Senatsgericht und Kaisergericht* (1962), 72–73.

68. One may list by way of illustration Livy, *Epit.* 134 (I presume

that “he held assizes in Narbo” must refer to Augustus’ jurisdiction in 27); Seneca, *Controv.* 10 *praef.* 14; from “senatorial” provinces, Jos., *BJ* 1, 26,4 (531); Suet., *Div. Aug.* 93.

69. Suet., *Div. Aug.* 33.

70. Criminal: Val. Max. 9, 15, 2; Ovid. *Tristia* 2, 127ff.; Dio 54, 15, 4; 55, 7, 2; 56, 23, 2–3; 24, 7; Seneca, *QN* 1, 16, 1; Suet., *Div. Aug.* 24; 33; 45, 1; *Dig.* 48, 24, 1; Strabo 670. Civil: Val. Max. 7, 7, 3 and 4; 9, 15, ext. 1; Suet., *Div. Aug.* 97; *Dig.* 8, 3, 35.

71. Dio 50, 4, 5.

72. Nepos, *Atticus* 22, 3–4 (N. Horsfall’s trans.).

73. For discussions, see Fadinger (n. 5), chap. 2; K. E. Petzold, “Die Bedeutung des Jahres 32 für die Entstehung des Principats,” *Historia* 18 (1969): 334; E. Gabba, “La data finale del secondo Triumvirato,” *RFIC* 98 (1970): 3.

74. Dio 53 1, 1.

75. Dio 53 1, 1.

76. *Tac.*, *Ann.* 3, 28.

77. Cf. *JRS* 56 (1966), 156–57 (= chapter 11 in this volume).

78. E.g., Appian 5, 129/537; 132/549; Dio 48, 22, 1.

79. E.g., Appian, *BC* 4, 38/161; Dio 51, 23, 2 (cf. Dio 51, 17, 1, Cornelius Gallus left in charge of Egypt).

80. E.g., Degrassi, *ILLRP*² I, 433; cf. Broughton, *MRR* II, 369, n. 1; and my n. 83. Documentary evidence for the titles borne by governors is however extremely sparse throughout the Triumviral period.

81. *ILS* 37 = Degrassi, *ILLRP*² I, 372.

82. Degrassi, *ILLRP*² I, 426.

83. The evidence on triumphs between 43 and 28 B.C. is admirably collected by A. Degrassi, *Fasti Consulares et Triumphales, Inscriptiones Italiae* XIII, 1 (1947), 567–70.

84. Dio 48, 42, 4.

85. Dio 53, 11, 2.

86. I owe this essential point to Professor Badian. The documentary evidence is still very poor for this period. In Hispania Citerior, however, it is clear that “legatus pro praetore” was normal—see G. Alföldy, *Fasti Hispanienses* (1969): 3–13—though Paullus Fabius Maximus, c. 3/2 B.C., uses “legat. Caesaris” (p. 9). “[Legatus pro] pr. Augusti Caesaris in [Illyrico]” is used of M. Vinicius, there 10/9 or

some years later; see A. Dobo, *Die Verwaltung der römischen Provinz Pannonien* (1968), 16–18. Milestones from Galatia of 6 B.C. have “Commodus Aquila, his *legatus propraetore* being in charge” (*curante Com. Aquila leg. suo pro pr.*); see R. K. Sherk, *The Legates of Galatia* (1951), 24.

87. Alföldy (n. 86), 131.

88. See J. M. Reynolds, “Cyrenaica, Pompey and Cn. Cornelius Lentulus Marcellinus,” *JRS* 52 (1962): 99–100, no.7 = *ILLRP*² I, 1234.

89. See Millar (n. 77).

90. Mommsen (n. 48), 2, 778.

91. See works cited in n. 8.

92. Tac., *Ann.* 2, 43 (Calpurnius Piso); 3, 75 (Ateius Capito); Seneca, *De Clementia*, 1, 9, 12 (L. Cinna); *Dig.* 1, 2, 2, 47 (Antistius Labeo).

93. The following argument returns, in greatly expanded form, to some points briefly made in *CR*, n.s., 18 (1968): 265–66.

94. Tacitus, *Ann.* 1, 3, 7.

95. *CIL* VI, 873; *ILS* 81.

96. R. M. Ogilvie, *A Commentary on Livy Books 1–5* (1965), 2.

97. Livy 3, 20, 1.

98. *CIL* I² p. 231; Degrassi, *Ins. It.* XIII, 2 (1963), 112–13.

99. *R.I.C.* I, Augustus no. 10; C. H. V. Sutherland, *Coinage in Roman Imperial Policy, 31 B.C.–A.D. 68* (1951), 31; C. H. V. Sutherland, N. Olcay, and K. E. Merrington, *The Cistophori of Augustus* (1970), 89–90.

100. A. Degrassi, *Inscriptiones Italiae* XIII, 2 (1963), 191 (*Fasti Amiternini*); cf. pp. 31, 135.

101. Velleius 2, 89, 3–4.

102. Dio 53, 2, 6–12, 3.

103. Dio 51, 1, 1–2.

104. Nepos, *Atticus* 20, 5.

105. Vitruvius 5, 1, 7, referring to an “temple of Augustus” (*aedes Augusti*) at Fanum, ought to be conclusive, but it has sometimes been suggested on general historical grounds that the expression is impossible in Italy at this date. But other indications show that the work was complete by 23 or 22 B.C.: Schanz-Hosius, *Gesch. d. röm. Lit.*⁴ II (1935), 387–88; cf. A. Boethius, “Vitruvius and the Roman Architecture of His Age,” *ΔΠΑΜΑΓ Μ.Ρ. Nilsson dedicatum* (1939), 114.

106. Suet., *Div. Aug.* 53.
107. *RG* 5; Vell. Pat. 2, 89; Suet., *Div. Aug.* 52; Dio 54, 1, 3–4.
108. Aulus Gellius, *NA* 15, 7, 3 = E. Malcovati, *Imperatoris Caesaris Augusti Operum Fragmenta*⁵ (1969), *Ep.* XXII (Loeb trans.).
109. Aulus Gellius, *NA* 13, 12, 1–2 (based on Loeb trans.).

CHAPTER ELEVEN

The Emperor, the Senate, and the Provinces



Our sources for the constitutional settlement and division of the provinces in 27 B.C., and the modification of the settlement in 23 B.C., are notoriously brief and inadequate. Neither Augustus in the *Res Gestae* nor Velleius Paterculus mentions the provincial aspects of either settlement. The earliest source is Strabo (840): “he [Caesar] divided the whole of the empire into two parts, and assigned one portion to himself and the other to the Roman people [military provinces for himself, peaceful ones for the people] . . . and he divided each of the two portions into several provinces, of which some are called ‘provinces of Caesar’ and the others ‘provinces of the people.’ And to the ‘provinces of Caesar’ Caesar sends legates and procurators, dividing the territories in different ways . . . whereas to the ‘provinces of the people’ the people send praetors or proconsuls [list of public provinces]. . . . But the rest of the provinces are held by Caesar; and to some of these he sends as curators men of consular rank, and to others men of the praetorian rank, and to others men of equestrian rank” (Loeb. trans.). Then there is Suetonius (*Div. Aug.* 47): “The stronger provinces, which could neither easily nor safely be governed by annual magistrates, he took to himself; the others he assigned to proconsular governors selected by lot.” Finally there is the account in Cassius Dio (53, 12, 2–3): “while he accepted all the care and the oversight of the public business, on the ground that it required some attention on his part, yet he declared he would not personally govern all the provinces, and that in the case of such provinces as he should, he would not do so indefinitely; and he did in fact, restore¹ to the Senate the weaker provinces, on the ground that they were peaceful and free from war, while the more powerful . . . he retained, his professed motive in this was that the Senate might fearlessly enjoy the finest portion of the empire.”

These are the only accounts of the division of the provinces in 27. For the settlement of 23 our evidence is even poorer, a single sentence in Cassius Dio (53, 32, 5): “They also permitted him to hold once for all the office of proconsul, so that he had neither to lay it down upon entering the *pomerium* [the sacred boundary of the city of Rome] nor

to have it renewed again, and they gave him in the subject territory authority superior to that of the governor in each instance.”

The paucity of the sources—combined with the fact that they are mainly in Greek—has led to insoluble problems about how Augustus’ position was described at the time, or (alternatively) what the nature of his *imperium* vis-à-vis the provinces was. None the less, there is a fair consensus of opinion about the division of the provinces itself, and the nature of the administrative pattern which it produced. This can be summarized as follows: Augustus undertook the administration of a large province, comprising Spain, Gaul, and Syria, for a period of ten years, possibly with proconsular authority. He governed these provinces through legates appointed by, and responsible to, himself. The other provinces were governed by promagistrates responsible to the Senate. Down to 23 Augustus was also consul. In 23, while retaining his province, he abandoned the consulate and accepted “greater *imperium*,” which gave him superior authority to promagistrates and enabled him to intervene outside his province when necessary. In normal circumstances, however, control of the provinces was divided between the Emperor and the Senate.²

This chapter is not concerned with the formal aspects of the settlements and the division of the provinces (except to note that the word province in the singular is not used by any ancient authority to refer to the imperial provinces as a whole).³ Its purpose is to examine the standard view of the practical division between the two types of province, and its implications. The standard view implies that there were in principle two administrative hierarchies, two separate ladders of responsibility. Legates are seen as something less than full governors of their provinces, as essentially agents of the Emperor. Proconsuls are held to be, normally, independent of the Emperor but “responsible” to the Senate. It is implied that the Emperor normally confined himself to making regulations for the imperial provinces, and the Senate for the public provinces. Only in exceptional circumstances would an Emperor intervene in a public province.

In examining the validity of this view we cannot, it is clear, expect much enlightenment from the three passages in ancient authors which describe the division of the provinces in 27. All report the official explanation of the division, the retention of potentially dangerous provinces by the Emperor; Strabo (and, less clearly, Suetonius) makes the principal distinction that of the type of governor sent; Dio alone says that the Emperor was to “rule” (*archein*) his provinces. Strabo and

Suetonius say nothing further about the administrative consequences of the division. Dio does give more detail, in the extensive general analysis of the imperial regime which he attaches to his account of the settlement of 27.⁴ To take the question any further, we must do likewise, and examine the evidence available on the differences between the two types of province and the relation to them of the Emperor and the Senate.

Proconsuls and *Legati Augusti pro Praetore*

The two types of governor were appointed in quite different ways, and certain formal distinctions were maintained between them. Proconsuls were assigned to provinces by lot.⁵ They assumed their official dress (*insignia*) on leaving the *pomerium* and retained them until their return, and could perform non-contentious judicial acts on the way to and from their provinces.⁶ They did not wear military dress or a sword, had the number of lictors corresponding to their rank as ex-praetor or ex-consul, and governed for one year only.⁷

Legati Augusti pro praetore (legates of Augustus with praetorian rank) were appointed by the Emperor and served until replaced; they assumed their official dress only on entering their province, wore military uniform and a sword, and, irrespective of whether they were ex-praetors or ex-consuls, were assigned five lictors.⁸

These formal distinctions apart, it appears that a legate (*legatus Augusti pro praetore*) exercised a full *imperium*⁹ within his province no less than did a proconsul; “to him had been entrusted the rods [*fascēs*], symbols of magistracy, the praetorian jurisdiction, and the legions,” as Domitius Celer observed in relation to Cn. Piso, legate of Syria.¹⁰ Ulpian laid down that any *praeses* (governor) had “in [his] province . . . authority greater than everyone else after the emperor.”¹¹ But were there differences in the contacts of legates and proconsuls with the Emperor?

***Mandata* from the Emperor**

Domitius Celer, in his remarks about Piso, continued: “if an act of hostility occurs in the province, who is more entitled to oppose it with arms than he who has the authority of a legate and received personal *mandata* [codes of instructions]?” Thus legates received *mandata* from the Emperor, as did the prefect of Egypt,¹² the *Idios Logos* (the official in charge of the private account in Egypt) as we know from the preamble of the *Gnomon* (a handbook) and procurators in public¹³ and

imperial provinces. The earliest detailed evidence we have for the content of imperial *mandata* is given by the Greek inscription from Hama in Syria with an extract from the *mandata* of Domitian to the procurator of Syria.¹⁴ The extract concerns the use of *diplomata* (certificates entitling the bearer to transport services), and the exaction of services by soldiers on the march. The first detailed evidence for *mandata* to senatorial legates comes from Pliny's correspondence with Trajan. The *mandata* Pliny received for his governorship of Bithynia included provisions for the disposition of soldiers, procedures in recruiting, the granting of pardon to exiles, and the making of gifts out of city funds.¹⁵ One provision at least of the *mandata*, that forbidding the formation of associations (*hetairiae*), was incorporated in the edict issued by Pliny on his arrival in the province.¹⁶

A century later than Pliny's governorship of Bithynia, both Cassius Dio and the lawyers clearly attest that imperial *mandata* were issued to all types of provincial official, procurators, legates, and proconsuls.¹⁷ The extension of *mandata* to proconsuls seems in fact to have begun much earlier, for Antoninus Pius, when proconsul of Asia in 135/6, issued an edict based on *mandata*, which must presumably have been those of the Emperor.¹⁸ If these were indeed the *mandata* of Hadrian, one might wonder whether it was not in the *mandata* that Hadrian made the first explicit affirmation of the legal privileges of *decuriones* (city councillors)¹⁹—or indeed whether the *mandata* in which Trajan released soldiers from the normal rules governing the validity of wills²⁰ were not also addressed to all provincial governors. [It has since been shown by G. P. Burton, *ZPE* 21 (1976): 63, that the issuing of *mandata* to proconsuls in fact took place from the beginning.]

Correspondence between Legates and the Emperor

There is ample evidence of legates writing letters to the Emperor and receiving letters from him. It is only necessary to quote a few instances by way of example. Augustus relieved a consular legate of his post on grounds of illiteracy when he saw that he had written “ixi” instead of “ipsi”;²¹ Philo details the correspondence between Petronius, legate of Syria, and Gaius over the placing of the statue of Gaius in the Temple.²² Similarly we have Marsus, legate of Syria, writing to Claudius about Agrippa I's rebuilding of the walls of Jerusalem,²³ or legates of Gallic provinces writing to Augustus and

Nerva.²⁴ Equestrian officials also might write to the Emperor, as did Classicianus from Britain,²⁵ or Gavius Bassus, the prefect of the Pontic shore (*praefectus orae Ponticae*), from Bithynia.²⁶ Two points should be noted about this correspondence between the Emperor and imperial officials. Firstly, it seems very rarely to have been initiated by the Emperor; Trajan never communicated with Pliny in Bithynia except in response to letters from him. In some cases where the actual correspondence with the legate or procurator was begun by the Emperor, this was stimulated by a communication from some other source in the province. Tiberius wrote to Pilate when the Jews had written to him about the shields brought into Jerusalem;²⁷ Gaius' first letter to Petronius about the statue was provoked by a letter from Herennius Capito, the procurator of Jamnia, about the "desecration" of an altar to him placed in the synagogue there by the Greeks.²⁸ But even a prolonged dispute in an imperial province might never be referred to the Emperor. The dispute between the collectors of the tolls (*portoria*) and the city of Histria in Moesia over the boundaries of the city territory, which produced documents dating from 47 to the 60s which are collected in the *Horrothesia* inscription of Laberius Maximus of A.D. 100,²⁹ never reached any Emperor. Secondly, almost our entire evidence for the correspondence between the Emperor and officials in imperial provinces comes from literary sources. A single inscription of the first century refers to the establishment of a boundary at Sagalassos in Galatia by the legate and procurator on the basis of a letter from Nero.³⁰ The earliest example of the text of an imperial letter to a provincial legate inscribed by a city does not come until 201, the letter of Severus and Caracalla to Ovinus Tertullus, legate of Moesia Inferior, about the immunity of Tyra.³¹ This feature of the evidence is not accidental; it relates directly to the fundamental distinction of type between imperial and public provinces.

Prisoners Sent from Imperial Provinces

Imperial legates on occasion sent prisoners to the Emperor to be judged.³² The earliest clear instance is that in 4 B.C. when Quintilius Varus, as legate of Syria, sent the ringleaders of the Jewish rising after the death of Herod to stand trial before Augustus.³³ In 37 Vitellius, legate of Syria, sent Pilate to Rome when accused by the Samaritans.³⁴ About 52 Ummidius Quadratus, legate of Syria, sent Cumanus the procurator of Judaea, Celer a tribune, and a number of leading Jews and Samaritans to be tried by Claudius.³⁵ Similarly, Julius Civilis had been sent from Gaul for trial before Nero, presumably in 67 or 68, and

was freed by Galba.³⁶ At about the same time Vespasian advised Agrippa II to send his general (*strategos*), Philippus, to be tried by Nero, on the accusation of the Tyrians,³⁷ and intended to send Josephus when he fell captive at Jotapata in 67.³⁸ One of Domitian's last acts was to condemn a *haruspex* (diviner) who had been sent from Germany by the legate, accused of predicting his death.³⁹

It is thus clear that it was common for legates to pass on to the Emperor cases involving subversion or danger to the Emperor's person.

The Senate and Proconsuls

What evidence is there for either *mandata* of the Senate to proconsuls or specific communications from the Senate to individual proconsuls while in their provinces? The answer is simple—none.

The Senate and the Public Provinces

If we have no evidence of the Senate instructing or communicating with the proconsuls themselves, do we have evidence of it “administering” the public provinces as such? The question needs an answer, for in the orthodox view their control of these provinces was one of the prime functions of the Senate under the Principate.⁴⁰ There is in fact one single item of evidence which shows a decree of the Senate (*senatus consultum*) which applied to all proconsular provinces and to these alone. When Pliny in Bithynia was asked to take cases “concerning acknowledgement of children and granting of free-born rights to former slaves,” he looked up (*respexi ad*) the relevant decree of the Senate, but found that it covered only provinces governed by proconsuls. It may be noted that it was only from the specific wording, *not* from the very fact that it was a decree of the Senate, that Pliny realized that it applied only to these provinces. Trajan asked him to send on the decree of the Senate, and nothing more is heard of the matter.⁴¹

This one item of evidence apart, we have a statement of a general principle made by Nero at the beginning of his reign: “Let the Senate retain its old functions! Let Italy and the public provinces take their stand before the tribunals of the consuls, and let the consuls grant them access to the Fathers [i.e., the Senate]: for the armies entrusted to his charge he would himself be responsible.”⁴² That the Senate did hear embassies from public provinces needs no proof—for instance, that from Baetica in A.D. 25 which asked permission for a temple to

Tiberius and Livia.⁴³ We also have documentary evidence of decree of the Senate passed in response to the requests of communities or individuals within senatorial provinces. For instance there is the decree of the Senate of 112–17 allowing the request of Pergamon for a second series of quinquennial iselastic games in honour of Trajan and Zeus Philios. But this is a mixed case, for the inscription also contains an extract from the *mandata* of Trajan specifying the conditions, and referring to the decree of the Senate, and also a fragmentary letter of Trajan to Pergamon, probably in response to an embassy.⁴⁴ There is also the decree of the Senate of 138 permitting the establishment of a fair or market on the Saltus Beguensis in Africa, and that from the reign of Pius allowing Cyzicus in Asia to have a corps of young men (*neoi*).⁴⁵

The Senate and the Imperial Provinces

We have thus one piece of evidence showing a decree of the Senate for public provinces only, and a fair amount showing the Senate dealing with individual public provinces or with communities within them. Were the Senate's activities confined to such provinces? So far as the specifically law-making functions of the Senate go, the answer is clearly no. There is no suggestion in the sources (apart from the one letter of Pliny) that modifications in private or public law made by the Senate were valid in only half the Empire. If proof is needed, it is explicitly stated that the *Senatus Consultum Apronianum*, passed in the reign of Hadrian, allowed legacies to "all communities which are under the rule of the Roman people."⁴⁶ Similarly, the preamble of the *Gnomon* of the *Idios Logos* states that its provisions are those laid down by Augustus, with modifications by later Emperors, by the Senate, by prefects, or by the *Idios Logos* himself.⁴⁷ Other documents from Egypt show requests for the appointment of a guardian "in accordance with the Lex Iulia et Titia and a decree of the Senate" (*datio tutoris* "e lege Iulia et Titia et ex s.c.").⁴⁸

The text of the *Senatus Consultum Calvisianum* of 4 B.C., establishing a new procedure for cases of extortion (*repetundae*) against provincial governors, comes from a public province, Cyrene, but is prefaced by an imperial edict and clearly refers to all provinces.⁴⁹ In A.D. 17 the Senate, voting Germanicus his eastern command, gave him "a greater *imperium*, in all regions he might visit, than those of the governors holding office there by the lot or by imperial appointment."⁵⁰ In 62 the Senate resolved, on the motion of Nero, that it should be

forbidden to propose in provincial councils to send embassies to the Senate in praise of either proconsuls or imperial legates.⁵¹ Finally, there is the decree of the Senate about reducing the expenses on gladiatorial games (*senatus consultum de sumptibus ludorum gladiatorum minuendis*) of 177–80. The two texts we have of it both come from places in public provinces, Sardis in Asia and Italica in Baetica. But the regulations reducing the price of gladiators for games given by local officials are explicitly to be applied in both types of province —“let those most honorable men, who are proconsuls . . . and those who govern provinces without being appointed by the lot, be aware.”⁵² Moreover, there are specific references to games given by priests (*sacerdotes*) in the imperial provinces of the Tres Galliae.

It may be noted also that we do find the Senate dealing with individual places in the imperial provinces. In A.D. 25 it was, it seems, the Senate which heard rival delegations from Lacedaimon and Messenia, although Achaea was then under an imperial legate.⁵³ Dio records that through Saoterus, the favourite of Commodus, Nicomedia obtained from the Senate permission for a festival and a temple of Commodus;⁵⁴ Bithynia had been an imperial province since about 165.⁵⁵

The Emperor and the Imperial Provinces

It is not worth asking whether the Emperor *confined* his activities to the imperial provinces, since no one could suggest that he did. But did he on occasion issue edicts or other regulations for the imperial provinces alone? There is one single item of evidence: in 26 B.C. Augustus excluded Cornelius Gallus, before his condemnation and suicide, from the imperial provinces.⁵⁶

The Emperor and the Provinces in General

We have a number of instances of general edicts or pronouncements by Emperors affecting all the provinces alike. The earliest of these, I would tentatively suggest, is that in the notoriously puzzling Augustan inscription from Cyme in Asia.⁵⁷ I would take it that the first, Greek, document is a general pronouncement by Augustus and Agrippa in 27 B.C., ordering the restitution of public and sacred properties in all the provinces. On this view *hekastes eparchias* in line 4 does in fact mean “of every province”;⁵⁸ and the text in lines 8–9 means “whoever is governor of the (relevant) province,” and is a way of referring, without a list of different titles, to the various types of provincial

governor. The Greek document is followed by a letter, given in Latin and Greek, from [...] Vinicius, proconsul of Asia, to the city of Cyme. I accept the view of the original editor, H. W. Pleket, that this is L. Vinicius, suffect consul in 33 and thus proconsul probably in 27–26.⁵⁹ He takes action on the information of one Apollonides L(ucii) f(ilius) No[raceus] that the “shrine of Liber Pater” has been “possessed” by a private person, “even though the club members wished to restore the cult to the god by order of Augustus Caesar” (ll. 4–5); he also writes that the temple is to be inscribed “Imp(erator) Caesar, son of the deified Iulius, Augustus restored it” (ll. 8–9). Thus, whatever the exact formal status of the pronouncement by Augustus and Agrippa (and it does not fit precisely into any known category), it was regarded in the province as an order of Augustus.⁶⁰

Then we have the edict, dating to 12 B.C.,⁶¹ by which Augustus protected the traditional right of the Jews to send money to Jerusalem. It was issued, it should be noted, at the instance of embassies from the Jews of two public provinces, Asia and Cyrene. The text of the edict, preserved by Josephus,⁶² mentions that it is to be inscribed at a place appointed by the provincial council of Asia.⁶³ A few years later Iullus Antonius, proconsul of Asia, wrote a letter, also reproduced by Josephus,⁶⁴ to Ephesus, saying that the Jews had quoted to him the permission granted them by Augustus and Agrippa to observe their ancestral customs, and instructing the Ephesians to behave accordingly. In the same context Josephus gives a letter of Caesar to Norbanus Flaccus, proconsul of Asia, instructing him to let the Jews send money to Jerusalem,⁶⁵ and also Norbanus’ letter to Sardis, referring to Caesar’s *mandata*—“Caesar has written to me, ordering.”⁶⁶ Philo quotes Norbanus’ letter to Ephesus on the same point—“I therefore write to you to let you know that this is what he orders to be done.”⁶⁷ Norbanus might have been the consul of 38 B.C. or of 24 B.C.; the former could have been proconsul in the 20s or even, most improbably, the 30s.⁶⁸ But the man concerned is most likely the younger Norbanus, who could have been proconsul soon after 12 B.C.⁶⁹

Philo also records that after the death of Sejanus Tiberius wrote to all those appointed as governors everywhere to reassure the Jews about their rights.⁷⁰ Claudius in 41 also promulgated a general edict confirming the privileges of the Jews throughout the Empire which he ordered to be inscribed in the *civitates*, *coloniae*, and *municipia* in Italy and outside. The edict was promulgated by Claudius, according to

Josephus' text, at the request of Agrippa I and Herod of Chalcis.⁷¹

Also from Claudius' reign we have the edict about the exaction of transport services (*vehiculatio*), attested on an inscription from Tegea.⁷² It explicitly refers to both Italy and all the provinces, and dates to 49 or 50, after Achaea had been restored to proconsular rule. In 58 Nero issued an edict about abuses by tax-collectors—"The Emperor . . . issued an edict that . . . the praetor at Rome, the propraeors or proconsuls in the provinces, were to waive the usual order of trial in favour of actions against tax collectors."⁷³ Vespasian issued one general edict to all communities that embassies should not number more than three men,⁷⁴ and another in 74, on the privileges of doctors and teachers. This is attested by an inscription from Pergamon in Asia, and is followed on the same stone by a rescript of Domitian on the same subject.⁷⁵ Domitian issued an edict, evidently of general application, on the immunity of veterans from tolls,⁷⁶ and also his famous edict on the uprooting of vines in the provinces. This certainly applied in proconsular Asia, for it was this province which sent an embassy to protest, headed by the great sophist Scopelianus, whose speech so moved the Emperor that he not only revoked the edict but laid penalties on those who failed to plant vines.⁷⁷ Finally one might mention Nerva's edict, attested by Pliny, which confirmed all benefactions granted by previous emperors; it applied in all provinces including Bithynia.⁷⁸

The Emperor and Individual Public Provinces or Communities within Them

Pliny in Bithynia found that a modification of the provincial Lex Pompeia had been made by an edict of Augustus (though the edict may have been general).⁷⁹ He also sent to Trajan the petition of Nicaea asking for confirmation of the right of claiming possession of the property (*vindicatio bonorum*) of citizens who died intestate, which had been granted (*concessa*) by Augustus; it is probable that the original concession had also been petitioned for by the city.⁸⁰ Pliny also mentions an alleged edict of Augustus to Andania in Achaea (though the reading of the name is not certain) on the subject of foundlings (*threptoi*).⁸¹ Similarly, in his letter to the Saborenses in Baetica, Vespasian confirmed the "the right to levy taxes which you claim to have received from the deified Augustus,"⁸² while Claudius, writing to the city of Thasos, said "I preserve for you, in accordance with the decisions of the deified Augustus, all the privileges as (were received) from him."⁸³ (Thasos was then in the province of

Macedonia.) Then an inscription on a statue basis from Ephesus reads (the text is repeated in Greek), “By the benefaction of the deified Caesar Augustus, from the income of sacred lands which he donated to Diana, the road was paved when Sex. Appuleius was proconsul”; if the inscription is contemporary with the paving of the road, then Sex. Appuleius must be the consul of A.D. 14 and proconsul some time under Tiberius.⁸⁴

The edicts of Augustus from Cyrene⁸⁵ constitute the standard example of imperial “intervention” in a public province. The first edict, however, issued in 7–6 B.C. on the appointment of jurors, was provoked by complaints from delegations sent by the cities (I. 8). Augustus then gives preliminary *mandata* until the Senate has conferred on the matter or he himself has found a better solution (II. 12–13). He in fact lays down the procedure to be followed by the proconsuls—lines 13–14: “it seems to me that those who are in charge of the province of Crete and Cyrene will act well and properly if they put forward . . .” We do not know whether he also wrote directly to the proconsul, or in what terms. The second edict arose, firstly, from the fact that P. Sextius Scaeva, probably but not certainly the proconsul,⁸⁶ had sent three men in chains to Augustus, as having something to reveal on a matter affecting public safety; and, secondly, from the fact that one of the three had been accused, by a delegation from Cyrene, of removing statues inscribed with the name of Augustus. Augustus decreed that the man should not leave Rome until he had investigated the matter. In the third and fourth edicts there is no indication of how the matter came before Augustus.

Subsequently, there are only rare cases of imperial measures for specific public provinces, or places within them, in the form of edicts. There is, however, the edict of Paullus Fabius Persicus, proconsul of Asia under Claudius,⁸⁷ which begins with a reference to an edict (*epikrīma*) of Claudius, beneficial not only to the city of Ephesus but to the whole province, which was to be inscribed on a column in Ephesus. The proconsul announces, after a reference to his own beneficial principles of government, that he will act in accordance with the model provided by the Emperor, who has all mankind under his care (II, 1–17). Later he makes brief references to the restoration of revenues to the temple of Artemis at Ephesus by Augustus (IV, 5–6), and to a constitution (*diataxis*; *constitutio* in the Latin text) of Vedius Pollio confirmed by Augustus (VI, 10–11; cf. VII, 3–4, VIII, 4).⁸⁸ Towards the end of the inscription (VIII, 11–12) he refers to the

recognition by Augustus of the privileges (*philanthropa*) of the hymnodes (hymn singers) who performed at the provincial sanctuary at Pergamon.⁸⁹

Finally, one may mention the edict by which in 66–67 Nero summoned the inhabitants of Achaëa to the Isthmus to hear his speech granting them freedom.⁹⁰ The comparative rarity of imperial edicts affecting specific provinces or places is, however, easily explained. The Emperors normally communicated with cities or provinces by letter, such letters almost never being written except in response to an initiative from below, normally in the form of an embassy from the community. Some of these were in origin formal or diplomatic, like the embassy from Ilium consoling Tiberius on the death of Drusus which Suetonius reveals.⁹¹ Even these were actually heard by the Emperor; Tiberius felt that the Ilian embassy was somewhat belated and replied sarcastically by consoling them on the death of their fellow citizen, Hector. The ambassadors sent by the city of Sardis in 5 B.C. to congratulate Augustus and Gaius Caesar on the latter's assumption of the *toga pura* were instructed also to speak to Augustus about matters of interest to Sardis and the province of Asia.⁹²

If we take the Augustan period alone, we find a long series of embassies to Augustus from public provinces, which begins before, and continues unaffected after, the division of the provinces in 27 B.C. In 31 B.C. Octavian wrote in reply to an embassy from Mylasa in Caria.⁹³ In 29 the ship on which Strabo was crossing the Aegean took on board a fisherman from Gyarus, who was going to request Octavian, then at Corinth, for a remission of tribute.⁹⁴ In 26 B.C. Augustus wrote to Chios a letter, which is referred to in a letter to the city from the proconsul of Asia thirty or more years later, in which he confirmed the freedom of the city.⁹⁵ In 26 or 25 B.C. the city of Tralles was struck by an earthquake and sent an embassy, including the poet Chaeremon (whose verses on the journey are quoted by Agathias), all the way to Tarraconensis to implore Augustus for aid, which he granted.⁹⁶ About 25 B.C., when the Senate made a treaty with Mytilene, an embassy, including the poet Crinagoras, may perhaps also have gone to Spain to Augustus.⁹⁷ Then in 12 B.C., or just before, came the embassies from the Jews of Asia and Cyrene, mentioned earlier (text to n. 62), and perhaps in the same year came an embassy from Eresos on Lesbos, possibly to offer consolation on the death of Agrippa,⁹⁸ and in 7–6 B.C. the embassies from Cyrene (text to n. 86). In 6 B.C. two ambassadors came from the free city of Cnidus to accuse

a man (already deceased) and his wife of the murder of another citizen of the place. Augustus says in his letter to the city that he ordered his “friend” Asinius Gallus (the proconsul of Asia) to make an investigation and then heard the case himself.⁹⁹ In 5 B.C. there was an embassy from Sardis (text to n. 92). At unknown dates in the reign embassies came from Athens to secure funds for the completion of the Agora of Caesar and Augustus,¹⁰⁰ from Tegea,¹⁰¹ and (at some date between 27 and 11 B.C.) from Mytilene to both Augustus and the Senate.¹⁰²

In the same reign the imperial provinces produce evidence of embassies to the Emperor only from Judaea—separately from the Jews and the Greek cities¹⁰³—after the death of Herod in 4 B.C., from Alexandria in A.D. 13,¹⁰⁴ and from Tarraco.¹⁰⁵ A compilation of the evidence for embassies in later reigns would show a similar disparity, though not so marked.¹⁰⁶

The Emperor and Proconsuls

It has already been noted above (text to nn. 17–19) that Emperors did in fact issue *mandata* to proconsuls as well as to legates. Moreover, some occasions have been mentioned on which an Emperor gave direct *mandata* to proconsuls, Augustus to Norbanus Flaccus and Asinius Gallus, Tiberius to all governors. The Cyrene Edicts I and IV laid down a procedure for the proconsuls, but may not have involved direct *mandata* to them. A further possible case is reported by Tacitus, who says that “some people” recorded that the soldiers who killed Julia in A.D. 14 had been sent not from Rome but by L. Asprenas, the proconsul of Africa, “at Tiberius’ initiative.”¹⁰⁷ The very fragmentary letter of Claudius to Delphi in 52, which mentions the proconsul Junius Gallio, might indicate consultation of Claudius by him, *mandata* to him, or neither.¹⁰⁸

The evidence is fuller for the Flavian period. The letter of Titus to Munigua in Baetica, resulting from an appeal by the *municipium* against the judgement of a former proconsul, mentions that he has sent *mandata* to the proconsul—“since I wrote to Gallicanus the proconsul, my friend.”¹⁰⁹ Pliny in his correspondence with Trajan mentions letters of Domitian to Lappius Maximus, evidently proconsul of Bithynia, to Avidius Nigrinus and Armenius Brocchus proconsuls (probably of Achaëa), and to Minicius Rufus, and of Nerva to Tullius Iustus, both probably proconsuls of Bithynia.¹¹⁰ Similarly we have on an inscription from Delphi references both by Domitian himself,

writing to the Delphians, and by the proconsul, to a letter of his giving *mandata* to the proconsuls; in referring to these the proconsul uses expressions like “by order” and “as the emperor has ordered.”¹¹¹ Also from Delphi we have a letter of Trajan in which he seems to refer to *mandata* he has given both to the proconsul and to the procurator of Achaëa.¹¹²

From the reign of Hadrian we have the earliest certain evidence of proconsuls writing to consult the Emperor, and receiving answers from him. The *Digest* mentions rescripts of Hadrian to proconsuls of Macedonia,¹¹³ Baetica,¹¹⁴ Crete, and Achaëa.¹¹⁵ Inscriptions record a rescript of Hadrian to the proconsul of Achaia or Macedonia,¹¹⁶ and a letter from Avidius Quietus, proconsul of Asia, written to Hadrian in 125–126 about a land dispute at Aezani, with the Emperor’s reply.¹¹⁷ Justin and Eusebius quote a letter written in the early 120s to the proconsul of Asia, Minicius Fundanus, in reply to a letter from his predecessor, Silvanus Granianus, about the judicial procedure with regard to Christians.¹¹⁸

The evidence available clearly shows a tendency for imperial letters to proconsuls to become more frequent, followed in Hadrian’s reign by the beginning of consultation of the Emperor by them. It thus seems proper to conclude that in this respect there was a certain difference between legates and proconsuls, which finally disappeared in the first half of the second century.

Prisoners Sent for Trial by Proconsuls

If P. Sextius Scaeva was, as is probable, proconsul of Cyrene in 7–6 B.C. (text to n. 86), that is the earliest example of a proconsul sending prisoners for trial before the Emperor (the category of prisoners from public provinces accused in the first instance before the Emperor is not considered here). Then, in 65, Tacitus mentions Claudius Demianus “who because of his crimes was imprisoned by Vetus the proconsul of Asia and subsequently released by Nero”,¹¹⁹ and in about 73 the proconsul of Cyrene sent a Jewish rebel, Jonathan, to Vespasian, who condemned him to be burnt to death.¹²⁰ The category of prisoners sent by proconsuls is thus less numerous and less clear in its nature than that of men sent by legates, but such a category did exist.

Conclusions

When the evidence is assembled, the notion of two separate

administrative hierarchies, whose lines of demarcation were crossed only by the Emperor in occasional “interventions,” becomes entirely untenable. The Emperor did not govern the Imperial provinces either as a whole or individually “through” his legates; like proconsuls, the legates governed their provinces themselves. In no sense whatsoever did the Senate “control” the senatorial provinces, and the proconsuls were not “responsible to” it. Both the Emperor and the Senate, predominantly of course the former, made regulations (sometimes jointly) affecting all the provinces. The Emperor could deal directly with provinces of both types or with communities within them. The Senate is not attested as dealing with any imperial province as a whole, but is found dealing with individual places in these provinces. The sole concrete distinctions are in the direct relations between the Emperor and legates and proconsuls. The Emperor, invariably it seems when stimulated by some other source of information, pressure, or complaint from within the province, might initiate correspondence with either type of governor. But legates are attested initiating such correspondence quite commonly in the first century—to make reports or ask advice—while proconsuls began to do so under Hadrian.

The practical consequences of the division of the provinces were thus two, the different methods of appointment and length of tenure of the two types of governor, and the extent and nature of the communications between them and the Emperor—and of these the second disappeared after a century and a half. There was not even a constitutional principle by which the Senate kept to “its” half of the Empire. Tiberius, endeavouring to observe the strictest propriety, rebuked his legates for not sending reports of their achievements to the Senate,¹²¹ and chose to consult the Senate on taxation, the recruitment and discharge of soldiers, the disposition of the legions, and the prolongation of commands.¹²² Then we have Tacitus’ account of what happened when delegations from the Greek cities of Asia and Cyprus arrived in A.D. 22 to make their claims for rights of asylum for their temples: “[Tiberius] vouchsafed to the Senate a shadow of the past by submitting the claims of the provinces to the discussion of its members.”¹²³ The implication that the delegations had originally come to Tiberius seems to be confirmed by an inscription from Didyma, which was one of the temples involved, honouring a man who had gone as ambassador to the Emperor about the right of asylum.¹²⁴ Or one can compare the case mentioned by Suetonius, when some ambassadors from Africa came to the consuls to complain that they were being delayed by Tiberius, to whom they had been sent.¹²⁵ A

similar intermingling of responsibilities is illustrated by Tacitus under 23: “Meanwhile Tiberius . . . was dealing with . . . petitions from the provinces. On his proposal, senatorial decrees were passed to relieve the towns of Cibyra in Asia and Aegium in Achaia, both damaged by earthquake, by remitting their tribute for three years”;¹²⁶ Asia was, of course, a public, Achaia then an imperial, province. Communities in senatorial (and to a lesser extent in imperial) provinces sent embassies at will to either the Senate or the Emperor. Thus a man from Cos in the Julio-Claudian period is honoured on an inscription for having often been on embassies for his city, at his own expense, to the Emperors, the Senate, and the proconsuls of Asia,¹²⁷ while another man from there had often been ambassador just to the Emperors.¹²⁸ Then, for instance, under Trajan we find the Bithynians first accusing Q. Varenus before the Senate, and then sending ambassadors with a decree of the provincial council to the Emperor stating that they were dropping the case: one of the ambassadors appeared also before the Senate—“explained their reasons for dropping the prosecution and asked that no decision should be taken before the Emperor held an inquiry.” Trajan undertook to enquire into the intentions of the province.¹²⁹

The weakness of the accepted interpretation of the division of the provinces is not merely that it envisages a division of responsibility and authority which simply did not exist. It is rather that it and its implications depend on a number of assumptions about Roman “administration” (a term which itself tends to mislead) which are themselves invalid. If we look at the actual evidence for how the Empire worked, what we see is not an arrangement of compartments, of administrative hierarchies, but an array of institutions, communities, and persons, the relations between which depended on political and diplomatic choices which could be made by any of the parties. What passes for “administration” was in fact largely either jurisdiction and the settlement of disputes, or diplomacy. Moreover, the centralization of *power* in the hands of an individual did not mean the centralization of initiative. On the contrary, the imperial power was largely static or inert, and its activity stimulated by pressures and initiatives from below. What initiatives were taken depended on the standing of individuals and communities, and their relations with Rome and the Court. It is thus not an accident that so much of the evidence in this chapter concerns the province of Asia, for it was precisely those established, civilized provinces—Asia, Africa, Baetica—which were given over to proconsular rule, whose inhabitants were

in a position to make direct approaches to the Emperor. As Dio of Prusa said, addressing his fellow citizens, "If you had not listened, and the proconsuls had paid no attention either, it would not have been difficult for me to write to the Emperor."¹³⁰ Thus by a paradox which was the direct result of the nature of the division of the provinces, if the Emperor found himself dealing directly with the affairs of an individual, a community, or a province, these were more likely than not to be from the "public" half of the Empire.

The moral is simple. The Republic, it may be, can be seen from Rome outwards. To take this standpoint for the Empire is to lose contact with reality. Not only the pattern of the literary evidence, or the existence of an immense mass of local documents, but the very nature of the Empire itself, means that it can only be understood by starting from the provinces and looking inward.

NOTES

*First published in *JRS* 56 (1966): 156–66. An earlier version of this chapter was given to the Open Meeting of the Society for the Promotion of Roman Studies on 6 March 1965.

1. Reimar, followed hesitantly by Boissevain, supplied "to the Senate" τῇ βουλῇ at this point, from the texts of Xiphilinus and Zonaras. I am not convinced that this is justifiable. See "'Senatorial' Provinces: An Institutionalised Ghost," *Ancient World* 20 (1989): 1 (chapter 13 in this volume).

2. For this summary I have relied mainly on H. H. Scullard, *From the Gracchi to Nero*² (1963), 217–22, which I have used as being an accurate, clear, and succinct account of the accepted view.

3. *A fortiori*, therefore, it is unsound to construe Augustus as the proconsul of a province in respect of which he got recurrent grants of public funds from the Senate; so A. H. M. Jones, *JRS* 40 (1950): 24 = *Studies in Roman Government and Law* (1960), 104.

4. See F. Millar, *A Study of Cassius Dio* (1964), 94–95.

5. In exceptional circumstances, which are not in question here, they might be specially appointed by the Emperor or the Senate, or prolonged for more than one year.

6. Pliny, *Epp.* 7, 16; *Dig.* 1, 16, 2.

7. Dio 53, 13, 2–4.

8. Dio 53, 13, 6–8.

9. Mommsen, *Staatsrecht* II³, 244: “The governors of the imperial provinces are also holders of an independent higher *imperium*.”

10. Tac., *Ann.* 2, 77, 1.

11. *Dig.* 1, 16, 8; 18, 4 (Ulpian, *Lib.* 39 *ad edictum*).

12. Philo, *In Flaccum* 74, “by the *mandata* [sent] to Magius Maximus.” Cf. *Dig.* 1, 17, 1, “and this is stated in his *instructions*.”

13. Tac., *Ann.* 4, 15, 3, “but if he had usurped the governor’s authority and used military force, in that matter his [Tiberius’] *mandata* had been flouted.”

14. *IGLS* V, 1998. For the view that the procurator concerned is the procurator of Syria, see *JRS* 53 (1963): 199.

15. Pliny, *Epp.* 10, 22, 30, 56, 110–11. See L. Vidman, *Étude sur la correspondance de Pline le Jeune avec Trajan* (1960), 45–46, and A. N. Sherwin-White, *JRS* 52 (1962): 120–21.

16. Pliny, *Epp.* 10, 96, 7.

17. Dio 53, 15, 4; *Dig.* 1, 16, 6, 3; 47, 11, 6 *pr.*; 48, 3, 10; 48, 19, 27, 1–2.

18. *Dig.* 48, 3, 6, 1, “There is indeed extant a chapter of the *mandata* which the deified Pius issued under his edict when he was governor of the province of Asia.”

19. *Dig.* 48, 19, 15, “The deified Hadrian forbade the capital punishment of any who were classed as decurions . . . and indeed it is very fully provided in the *mandata* that they are to be punished with the penalty of the Lex Cornelia.”

20. *Dig.* 39, 1, 1 *pr.*

21. Suet., *Div. Aug.* 88.

22. Philo, *Legatio* 207, 248, 254–61, 333–34.

23. Jos., *Ant. Jud.* 19, 326–27.

24. Pliny, *NH* 9, 9; Philostratus, *VS* 1, 19.

25. Tac., *Ann.* 14, 38, 4–5.

26. Pliny, *Epp.* 10, 22.

27. Philo, *Legatio* 303–5.

28. Philo, *Legatio* 200–207.

29. Abbott and Johnson, no. 68. The dates given here come from D. M. Pippidi, “Das Stadtgebiet von Histria in römischer Zeit auf Grund der ΟΡΟΘΕΣΙΑ des Laberius Maximus (*SEG* I, 329),” *Dacia* 2 (1958): 227 = *Epigraphische Beiträge zur Geschichte Histrias in hellenistischer*

und römischer Zeit (1962), 133. The full version of both texts of the inscription is published for the first time by J. H. Oliver, "Texts A and B of the Horothesia Dossier at Istros," *GRBS* 6 (1965): 143.

30. New text in *Anatolian Studies* 9 (1959): 84–85 = *SEG* XIX, 765.

31. Abbott and Johnson, no. 130 = *FIRA*² I, 86.

32. I ignore here the question of prisoners who had appealed. Compare the discussion in *JRS* 66 (1966): 167ff. by P. D. A. Garnsey.

33. Jos., *Bell. Jud.* 2, 77–78; *Ant. Jud.* 17, 297.

34. Jos., *Ant. Jud.* 18, 88–89.

35. Jos., *Bell. Jud.* 2, 243–46; *Ant. Jud.* 20, 131–36. Pace E. M. Smallwood, "Some Comments on Tacitus, *Annals* 12, 54," *Latomus* 18 (1959): 560, I believe that Tacitus' account of these events is just wrong, and cannot be combined with the narrative in Josephus.

36. Tac., *Hist.* 4, 13.

37. Jos., *Vita* 407–9.

38. Jos., *Bell. Jud.* 3, 398.

39. Suet., *Dom.* 16; Dio 67, 16, 2. Compare the precisely similar case of a seer sent from Egypt in 41, Dio 49, 29, 4.

40. See, e.g., O'Brien Moore, "Senatus," P-W, Supp. VI, 793–95.

41. Pliny, *Epp.* 10, 72–73.

42. Tac., *Ann.* 13, 4, 3.

43. Tac., *Ann.* 4, 37, 1.

44. *CIL* III, 7086 = *IGR* IV, 336 = Abbott and Johnson, no. 73. The fragmentary earlier part of the inscription *may* (as supposed in *IGR*) contain a letter of the proconsul enclosing the *mandata* and the decrees of the Senate.

45. *FIRA*² I, 47, 48.

46. *Dig.* 36, 1, 27; Ulp., *Reg.* 24, 28.

47. See S. Riccobono, *Il Gnomon dell' Idios Logos* (1951), esp. pp. 86–87, also R. Taubenschlag, *The Law of Greco-Roman Egypt in the Light of the Papyri*² (1955), 32.

48. Cavenaille, *Corp. Pap. Lat.* 200, 202, 203 (restored), 205 (restored).

49. *SEG* IX, 8; Ehrenberg and Jones, no. 311. Cf. F. de Visscher, *Les édits d'Auguste découverts à Cyrène* (1940), 137–38. I do not share the view of P. A. Brunt, "Charges of Provincial Maladministration under the Early Principate," *Historia* 10 (1961): 189, that this procedure

soon lapsed.

50. Tac., *Ann.* 2, 43, 2. Cf. 3, 12, 1.

51. Tac., *Ann.* 15, 22, 1–2.

52. *ILS* 5163 = *FIRA*² I, no. 49; J. H. Oliver and R. E. A. Palmer, “Minutes of an Act of the Roman Senate,” *Hesperia* 24 (1955): 320.

53. Tac., *Ann.* 4, 43, 1–6.

54. Dio 72, 12, 2. See F. Grosso, *La lotta politica al tempo di Commodo* (1964), 552.

55. See D. Magie, *Roman Rule in Asia Minor* (1950), chap. 28, n. 7.

56. Suet., *Div. Aug.* 66; Dio 53, 23, 6.

57. *SEG* XVIII, 555; XX, 15, where the bibliography is given.

58. I cannot follow the view of J. H. Oliver, “The Main Problem of the Augustus Inscription from Cyme,” *GRBS* 4 (1963): 115, modified in “Augustan, Flavian and Hadrianic Praefecti Iure Dicundo in Asia and Greece,” *AJPh* 84 (1963): 162, that this refers to a “prefecture” of a *Praefectus iure dicundo* (prefect with civil jurisdiction) in a Greek city.

59. H. W. Pleket, *The Greek Inscriptions in the “Rijksmuseum van Oudheden” at Leyden* (1958), no. 57; see pp. 61–62 and cf. R. Syme, *JRS* 45 (1955): 159.

60. I cannot follow the views of K. M. T. Atkinson, “‘Restitutio in integrum’ and ‘iussum Augusti Caesaris’ in an Inscription at Leyden,” *RIDA* 7 (1960): 227, that the pronouncement of Augustus and Agrippa expresses a decree of the Senate, that the second document dates to after 23 B.C., or that “iussum” (order) is not a reference to the first document. Furthermore, as will be shown below, imperial action in Asia was not unusual even between 27 and 23 B.C.

61. For the date, see G. W. Bowersock, “C. Marcius Censorinus, Legatus Caesaris,” *HSCPh* 68 (1964): 207.

62. Jos., *Ant. Jud.* 16, 160–65; 162–65 = Ehrenberg and Jones, no. 314.

63. See J. Deininger, *Die Provinziallandtage der römischen Kaiserzeit* (1965), 37, n. 1.

64. Jos., *Ant. Jud.* 16, 172–73 = Ehrenberg and Jones, no. 313.

65. Jos., *Ant. Jud.* 16, 166.

66. Jos., *Ant. Jud.* 16, 171.

67. Philo, *Legatio* 315.

68. See D. Magie, *Roman Rule in Asia Minor* (1950), 1580; R. Syme, *The Roman Revolution* (1939), 303; *JRS* 45 (1955): 159.

69. See E. M. Smallwood, *Philonis Alexandrini Legatio ad Gaium* (1961), 310.

70. Philo, *Legatio* 161.

71. Jos., *Ant. Jud.* 19, 286–91 = Charlesworth, *Documents*, no. 15.

72. *ILS* 214 = Charlesworth, *Documents*, no. 11.

73. Tac., *Ann.* 13, 51.

74. *Dig.* L, 7, 5, 6, “An edict of the deified Vespasian, directed to all cities, ordained that no more than three be sent on an embassy.”

75. *FIRA*² I, 73, 77.

76. *FIRA*² I, 76.

77. Suet., *Dom.* 7; Philostratus, *VS* 1, 21.

78. Pliny, *Epp.* 10, 58.

79. Pliny, *Epp.* 10, 79–80. The evidence collected by J. Morris, *Listy Filologické* 87 (1964): 317, suggests that the minimum age for magistracies may generally have been lowered to twenty-five by Augustus.

80. Pliny, *Epp.* 10, 83–84.

81. Pliny, *Epp.* 10, 65, 3.

82. *ILS* 6092 = Abbott and Johnson, no. 61 = *FIRA*² I, 74.

83. C. Dunant and J. Pouilloux, *Recherches sur l'histoire et les cultes de Thasos* (1957), 66, no. 179, ll. 7–8.

84. *Jahreshefte Öst. Arch. Inst.* 45 (1960; pub. 1963): Beiblatt, 42.

85. References in n. 49.

86. De Visscher (n. 49), 78, assumes that he was proconsul; P. Romanelli, *La Cirenaica romana* (1943), 83, leaves the question open.

87. F. K. Dörner, *Der Erlass des Statthalters von Asia Paullus Fabius Persicus* (1935), Greek text on pp. 37–40. See Magie (n. 68), 545–46.

88. K. M. T. Atkinson, “The ‘Constitutio’ of Vedius Pollio at Ephesus and Its Analogies,” *RIDA* 9 (1962): 261, makes a strong case for the view that “constitutio” means “endowment” rather than something like “legal enactment,” and therefore for abandoning the view that he necessarily held some official position in the province. But even if this is correct I cannot follow her interpretation of the purpose and functioning of the endowment. I am very grateful to Dr. R. P. Duncan-Jones for discussing this with me.

89. See Magie (n. 68), 448 and n. 58.
90. *Syll.*³ 824 = Abbott and Johnson, no. 56 = Charlesworth, *Documents*, Nero no. 2.
91. Suet., *Tib.* 52.
92. *Sardis*, VII, 1, 8, 1. Cf. Deininger (n. 63), 56.
93. *Syll.*³ 768 = Abbott and Johnson, no. 30.
94. Strabo 485.
95. *Syll.*³ 785 = Abbott and Johnson, no. 40 = Ehrenberg and Jones, no. 317.
96. Agathias 2, 17; Euseb; *Chron.* 2, 140–41 Schoene; Strabo 579. Cf. G. W. Bowersock, *Augustus and the Greek World* (1965), 87 and 157.
97. *IGR* IV, 33 = Ehrenberg and Jones, no. 307. See C. A. Cichorius, *Rom und Mytilene* (1888), 55; Bowersock (n. 96), 36. The notion of an embassy to Spain depends on the view that the phrase “in Tarraco, Iberia” in *IGR* IV, 38, l. 8, refers to such an occasion. But cf. IV, 39, l. 13 where Tarraco is mentioned in a quite different context.
98. *IGR* IV, 7.
99. *Syll.*³ 780 = Abbott and Johnson, no. 36 (there is no reference to appeal in the case, as stated there) = Ehrenberg and Jones, no. 312. R. K. Sherck, “C. Asinius Gallus and His Governorship of Asia,” *GRBS* 7 (1966): 57, argues (not quite convincingly) that Gallus was at the time merely “a friend of the *princeps*” (*amicus principis*) in Rome, and not proconsul until the following year.
100. *IG*² II–III, 3175. See Bowersock (n. 96), 96.
101. *IG* V, 2, 25.
102. *IGR* IV, 39.
103. The Jewish people, Jos., *Bell. Jud.* 2, 80; *Ant. Jud.* 17, 300; the Greek cities, Nic. Dam., *FGrH* 90, F 136 (9).
104. *P. Oxy.* 2435 verso.
105. Quint., *Inst.* 6, 3, 77.
106. I rely here on a preliminary collection of the evidence, which could not be published in its present incomplete state. See now *The Emperor in the Roman World*² (1992), chap. 7.
107. Tac., *Ann.* 1, 53, 9.
108. *Syll.*³ 801D.
109. M. Nesselhauf, *Madri der Mitteilungen* 1 (1960): 148; *AE* 1962,

110. Pliny, *Epp.* 10, 58, 65, 72.

111. *Syll.*³ 821 = McCrum and Woodhead, *Select Documents*, no. 463.

112. E. Bourguet, *De rebus Delphicis* (1905), 70.

113. *Dig.* 22, 5, 3, 3.

114. *Dig.* 48, 8, 4, 1–2 = *Coll.* 1, 11, 1 (quoting full text of consultation and reply).

115. *Dig.* 48, 16, 14; 1, 16, 10.

116. *ILS* 5974α

117. *OGIS* 502 = *IGR* IV, 571 = Abbott and Johnson, no. 82.

118. Eusebius, *HE* 4, 8, 6; 9, 1–3; Justin, *Apol.* I, 68–69. See W. H. C. Frend, *Martyrdom and Persecution in the Early Church* (1965), 223–25.

119. Tac., *Ann.* 16, 10, 2. There is no reason to think, as presumed by A. N. Sherwin-White, *Roman Society and Roman Law in the New Testament* (1963), 60, that the man had appealed.

120. Jos., *Vita* 424–25; cf. *BJ* 7, 441–50.

121. Suet., *Tib.* 32.

122. Suet., *Tib.* 30; Dio 57, 7.

123. Tac., *Ann.* 3, 60, 1.

124. *Ins. Didyma* 107.

125. Suet., *Tib.* 31.

126. Tac., *Ann.* 4, 13, 1.

127. A. Maiuri, *Nuova Silloge epigrafica di Rodi e Cos* (1925), no. 462.

128. W. R. Paton and E. L. Hicks, *The Inscriptions of Cos* (1891), no. 94.

129. Pliny, *Epp.* 5, 20; 6, 5; 7, 6; 10.

130. *Or.* 45, 8.

CHAPTER TWELLEN

State and Subject: The Impact of Monarchy



In 26 or 25 B.C., as a new Greek inscription records, a citizen of Ephesus was responsible for “the setting up of the *Sebastos* and the dedication of the sanctuary.”¹ The reference appears quite casually in a list of holders of priesthoods; but the very casualness of the allusion has a lot to tell us about how people in a Greek city saw the world in the 20s B.C. *Sebastos* was of course to be the established Greek equivalent for *Augustus* and was to reappear on thousands of inscriptions throughout the imperial period. But when this statue was erected it was only one or two years since the name Augustus, never before used for a personal name, had been thought up in Rome, and solemnly voted by Senate and People in 27; voted, that is, as the new additional name of the thirty-five-year-old victor of the civil wars, “Imperator Caesar divi filius,” whom we call Octavian. The victory itself, the battle of Actium in which the forces of Antonius and Cleopatra had fled, was only five or six years in the past. Antonius himself had been in Ephesus in the winter of 42/1 B.C. and again in 33/2; and on one of these occasions one of the other six men named in the list of priests had acted as ambassador to him.² Then, immediately after the battle, Octavian also had arrived in Ephesus. Chance has preserved the letter which he then had occasion to write to the almost totally insignificant city of Rhosos on the coast of Syria. His words reflect a relationship which must have been formed at the same moment with scores, perhaps hundreds, of other Greek cities:

The ambassadors sent by you . . . having come to me at Ephesus, addressed me on the matters on which they had instructions. On receiving them I found them to be patriotic and good men, and accepted the honours and the gold crown. When I come to those parts I will do my best to be of service to you and to preserve the privileges of the city.³

Ephesus had thus been for a moment the political focus of the Graeco-Roman world, and no one there could have been unaware that power had just changed hands. But the vote taken in Rome in 27 B.C. was also known in Ephesus, and *Augustus/Sebastos* was already so common a term that “the *Sebastos*” could mean a statue—already ordered,

made, and ceremonially installed. Associated with that was a sanctuary (*temenos*); new elements have entered the communal activity, the religious life, and the visible topography of the city.

By implication what I have been saying is that one way to try to approach that crucial turning point which is the reign of Augustus is to look at how the world was represented, or mirrored, in hundreds of communities round the Mediterranean; for there really was a revolution, above all a revolution of consciousness, but it was not only a Roman one. Of course, if we do look, we can only see what there is to be seen. From cities in the Greek world, in North Africa, Italy, or southern Gaul there are written documents, architectural remains, statues, coins. Elsewhere there may be literally nothing, or at best a tale of conquest, seen from the outside.

So all we can do is to examine the inherent logic when Augustus is represented, in word or symbol.⁴ Sometimes there is aid from unexpected quarters, for instance a red cow named Thayris. This hitherto unknown constituent of the early Roman Empire stepped into the light of history in the pages of the *Journal of Egyptian Archaeology* of 1982; a papyrus published there records that she was leased out in 26 B.C. by the slave of a Roman citizen resident in Egypt. We know the date because it was “the fifth year of the dominion [*kratesis*] of Caesar, son of a god.”⁵ Forty years later those citizens of Rome who took a stroll round Augustus’ Mausoleum would be able to read in the *Res Gestae* (27) that he had added Egypt to the *imperium* of the Roman people. There is a certain contradiction here, and one which neither can be nor should be resolved. But the words in which two people in Egypt dated the purchase of a cow constitute a fact in themselves. So do the words which the lamplighters of Oxyrhynchus had used in taking an oath four years earlier, in 30/29 B.C. This document is particularly important, for it takes us to a level of society which our evidence elsewhere systematically fails to reach; two at least of the four lamplighters, three with Egyptian names and one with a Graeco-Egyptian one, were illiterate. They swore to supply oil for the temple lamps for the current first year of Caesar “in accordance with what was supplied up to the 22nd year which was also the 7th” (*P.Oxy.* 1453). Life and its obligations went on; but one monarch, Cleopatra, had given place to another, called Caesar.

It is easy to object that, however the world was construed in Egypt, the only major Hellenistic monarchy to pass directly into the “dominion” of a single Roman ruler, this is not how things will have

seemed in Rome. This view has some truth; but only some. Cornelius Nepos, concluding his biography of Atticus, recorded Atticus' awareness that Octavian and Antonius each desired to be *princeps*, "not just of the city of Rome but of the whole world" (*Att.* 20, 5). This dispassionate neutrality, clearly shared by Nepos himself, was to be perfectly matched in the attitudes shown by one of the common people of Rome when Octavian returned in 29 B.C., two years after Actium. As Octavian approached Rome, among the crowd which came out to meet him there appeared a man with a crow, which duly called out "Ave Caesar Victor Imperator" (Hail Caesar, victorious Emperor). Suitably impressed, Octavian bought the dutiful bird (*officiosa avis*) for 20,000 sesterces. It was then that the man's partner reported the existence of a second crow, which when produced emitted the words "Ave victor imperator Antoni" (Hail Antonius, victorious Emperor) (Macrobius, *Sat.* 2, 4, 29). The story has a lot to tell us. First, the established ritual of greeting important persons could be easily applied to the new situation. Secondly, the single victor who was due to appear could be expected to distribute largesse when honour required it; the sum which the man's partner failed to share is described as a *liberalitas*.

But there is also a much more important message to be gained from this anecdote. What the man exhibits is loyalist *behaviour*, of a sort which he believes to be both appropriate in a public context and advantageous to himself. But in his case, and perhaps in his case alone, we know that he did not feel loyalty, that he was indeed quite indifferent. It is important therefore to stress that in looking at rituals, cults, public expressions of gratitude, the erection of statues, and all those other visible forms of symbolism, we should not ask what people really felt, because we do not know (and in almost all cases cannot in principle know). Some two centuries after Augustus' death, Tertullian was to point out to the pagan world that all their loyalist rituals showed precisely nothing about their real feelings; if (he imagines) their hearts were covered with some transparent material, you would be able to look in and, just as they were acclaiming one emperor, you would see the image already formed there of his rival and successor distributing largesse (*Apol.* 35, 7). There is not, and cannot be, any such privileged view into the hearts of Augustus' subjects. We cannot know either that they felt, or for that matter that they did not feel, the reverence, loyalty, and gratitude which they so lavishly expressed. But we can study the logic of their public actions, and of their words, artefacts, and buildings.

Or, to be more precise, we can study the logic of these things provided both that the communities concerned did once speak, act, or create artefacts and that these, or some reflections of them, have survived. Equally, if we try to look at the actions of Augustus or the Senate in order to see how these actions were represented by their subjects, we can only do so, once again, by courtesy of those whose perceptions have left some trace. The conception we gain is thus bound to be partial. But I would insist that in speaking of perceptions or representations we are talking about an essential aspect of what the Roman Empire “was.” Firstly, the emergence of a single ruler from within the Roman republican system had created a constitutional situation which seems to us inherently ambiguous. The symbols and words used in the provinces to represent the new situation thus acquire a particular importance. Secondly, it was because they were internally self-governing political communities that the provincial cities could and did respond to changes of power at the centre. They were both free, and yet also obliged, to choose the correct symbols and responses, precisely because they were typically neither garrisoned by Roman troops nor supervised by any Roman official who was permanently present among them. The civil wars had indeed meant for many places within the Empire, at least at certain moments, that Roman forces and officials might be present as an active, violent, and oppressive force. Whether or not their brutalities and exactions had any serious economic effects, which is not easy to say,⁶ the ending of all that after Actium and the conquest of Egypt was a moment which did not pass without notice. Plutarch’s great-grandfather, for instance, used to recount how the citizens of Chaeronea had been forced into service to carry down to the sea sacks of grain for the forces of Antonius at Actium. Lashed by the whip, they had already carried one consignment when news came of Octavian’s victory. Antonius’ agents and soldiers promptly fled, and the citizens shared out the grain (*Ant.* 68). If we want to try to imagine what the blessings of the Augustan peace really amounted to, we could always start by remembering these resilient Greeks digesting the supplies which had come their way.

Within a very few years at the most, there were no Roman legions at all in what became in 27 the province of Achaea, that is, most of present day Greece; and the same was true of many other areas. The single governor of each province, with his staff, might appear from time to time to give justice, but only in the main centres; smaller places therefore would never actually see him at all. Being a subject

community of the Roman Empire therefore consisted, firstly, in a symbolic, or diplomatic, adhesion and, secondly, in the obligation to pay tribute. But here too the direct weight of Roman agents was no longer felt in the same way as it had been previously. For the contractors (*publicani*) who had collected the tribute up to the late Republic now disappear, at least from most areas, leaving the communities (as it seems) to pay it themselves.⁷ Thus we can actually see the Roman Empire changing shape before the eyes of its subjects if we simply take the example of complaints about taxation. Some time in the late Republic, as a relatively new inscription shows, the cities of Asia, leagued together in their *koinon* (provincial council), made such a complaint; its subject was oppression by the tax collectors who were active in the province, and the step taken was to send an embassy to speak before the Senate in Rome.⁸ In 29 B.C., however, two years after Actium, the whole pattern had changed. When the people of the small Aegean island of Gyaros decided to ask for a reduction of their minute annual tribute, they sent an ambassador to make a petition before Octavian, then at Corinth on his way to Rome. The sum concerned was 150 drachmas, or 600 sesterces, a mere fraction of the amount which Octavian was soon to give for a talkative crow (Strabo, *Geog.* 485).

The islanders' perception of where power now lay must be regarded as having been significant in itself, even if it had been wrong; even if, that is, Octavian will have told them to make their appeal to the Senate. But I rather doubt whether he did. For while we do not know what happened to the fisherman from Gyaros, we do know exactly what Octavian or Augustus wrote, probably some time between 31 and 20 B.C., to the much larger Aegean island of Samos. We know it because they requested him to grant them freedom, including freedom from tribute, and he refused, and in doing so made an unfavourable comparison to Aphrodisias in Caria. The city of Samos, we can safely assume, did not inscribe this reply. But the city of Aphrodisias did. It is therefore worth noting the exact words of this reply, first published in 1982:⁹

You yourselves can see that I have given the privilege of freedom to no people except the Aphrodisians, who took my side in the war and were captured by storm because of their devotion to us. For it is not right to give the favour of the greatest privilege to all at random and without cause. I am well disposed to you and should like to do a favour to my wife who is active on your behalf, but not to the point of

breaking my custom. For I am not concerned for the money which you pay towards the tribute, but I am not willing to give the most highly prized privileges to anyone without good cause.

If freedom had been granted to Samos, we cannot prove that the constitutional machinery of a vote by the Senate would not have been used; indeed it had been used in precisely the grant to Aphrodisias, in 39 B.C., which Octavian/Augustus refers to as if it had emanated solely from his own will.¹⁰ None the less, the implication and logic of the reply is unmistakably that the effective decision belongs to the speaker and has been determined by considerations which are entirely personal to himself. The reference to Livia is also highly important, as we will see. What is significant for the moment is the clear expression of the unqualified right and determination of the speaker to decide a matter which affected the revenues due to be paid to the Roman state; and the effort to explain the principles upon which his decision is based.

I should like to dwell on this point for a moment. In the event, so I believe, the reign of Augustus turned out to have inaugurated almost three centuries of relatively passive and inert government, in which the central power pursued few policies and was largely content to respond to pressures and demands from below.¹¹ In this, the revolution of consciousness to which I have referred played a crucial part; that is the consciousness that there was an individual ruler, whose name and image appeared everywhere (or everywhere that words were written or images made) and to whom appeal could be made. The step taken by the fisherman of Gyaros embodies exactly that perception. But in the reign of Augustus there is also something else, which to me recalls not the relative torpor of the intervening centuries, but the moralizing and reforming zeal of the tetrarchic period, of Diocletian and Constantine. From the emphasis on victory, to the use of members of an extended imperial family in military and governmental roles in different parts of the empire, the obsession with large-scale building projects, the reform of the basis of taxation, or the level of moralizing self-justification addressed to the people, a whole series of features unites the two periods. Another feature, which looks forward to the restless journeyings of the tetrarchic courts, is the active movement round the empire which distinguishes the first part of Augustus' reign; of the eighteen years after Actium he was in Rome for about seven.¹²

On one of these journeys, in Gaul in 27 B.C., Augustus took a

census of the people. Our total evidence on this event, the Epitome of Livy (134) and Dio (53, 23, 5) hardly says more than that; nor does either source make clear that no *provincial* census, numbering persons and recording property, had ever been taken before. It is of course only the author of Luke's Gospel who actually states both that there was a universal census and that it was promoted by an edict from Augustus: "It happened in those days that an edict went out from Caesar Augustus that all the inhabited world should be censused. This was the first which took place, while Quirinius was governor of Syria" (2:1). As Professor Brunt has reminded us, we should not deduce from the scattered and defective nature of our evidence that Luke was simply wrong.¹³ At the most he has compressed into a single moment a process spread over many years in different places. As it happened, a census was going on in Syria anyway, under Quirinius, when in A.D. 6 the rule of Herod's son Archelaus was ended, the province of Judaea came into existence, a census was imposed, tribute was demanded, and resistance flared up, never finally to die away until it led to the great revolt and the destruction of the Temple in A.D. 70.¹⁴ Luke's allusion reflects the reverberations of that first census. So, of course, did the questions about tribute which were put to Jesus in Jerusalem. "The coin of the census," "of whom is this image and the inscription?" "give to Caesar the things which are Caesar's"—the language used perfectly reflects a perceived association between census, tribute, coinage, and emperor.¹⁵ In principle, if indeed people in Judaea did believe that they were paying their tribute "to Caesar," it is quite certain they were wrong. Even Egypt, as Augustus claimed, was added "to the *imperium* of the Roman people."¹⁶ But this mistake, like various others which we shall look at, is illuminating just because it is a mistake. Whether tribute did indeed have to be paid in what Matthew calls "the coin of the census," and which all three Gospels identify as a *denarius*—that is, specifically in Roman coins—we, as it happens, do not know. But the image and inscription had been there for all to see since before Actium.

We accept too easily, without surprise, almost without notice, the change which had come about within a very few years in the coinage of the Mediterranean world. Let me just recall the facts in outline. Up to 44 B.C., thirteen years before Actium, there is no certain case of a living Roman being portrayed on a Roman coin. The precedent was set by Julius Caesar in 44, followed by Octavian, Antonius, and Lepidus, in the Triumviral period. But all this time there were other coin issues which did not portray any living person.¹⁷ Then from 31

B.C. onwards almost every single issue of official Roman coinage, in gold, silver, and bronze, portrays Octavian—Augustus.¹⁸ The story of the non-Roman coinage of the Empire is if anything more dramatic.¹⁹ Before 31 B.C. there may have been a few contemporary portrayals of Pompey and Caesar on city coinages; there were a few of Marcus Antonius, and perhaps one of Octavian. But between 31 B.C. and A.D. 14 portrayals of Augustus are known from 189 different places. Though some cities (such as Tyre, a free city) continued to mint without the head of Augustus, and other places produced some coins with and some without his portrait, we should not minimize the colossal change which had come over the symbolic character of the coinage, both Roman and non-Roman. The term “propaganda,” often used of coin types and legends, seems to me unhelpful; we know neither who decided these matters nor what reactions they evoked. What we have is once again a set of visible and uncontrovertible examples of how people construed the world in which they lived; or, to put it another way, of the symbols which they thought it appropriate to display publicly. In this light it is therefore of some importance that both Roman and civic coinages of Augustus’ reign may also portray other members of his family, Livia, Agrippa Postumus, Gaius and Lucius, and Tiberius.²⁰ Gaius and Lucius, together or separately, appear on the coins of more than thirty cities.²¹

That fact has its own importance, since, as we will see, it is clearly reinforced by other evidence. For the moment it is enough to say that if provincials on the streets of Jerusalem, or anywhere else in the Empire, imagined their payment of tribute as “giving to Caesar that which was Caesar’s,” it was a forgivable mistake, and a highly significant one. In fact even the tribute of the imperial provinces did not actually belong to Caesar, whatever some confusing modern theories may have claimed. But with that we have to turn to the division of the provinces in 27 B.C. Here too we will come round in the end to a significant mistake or misconception, this time embodied in a major contemporary document. We will also, looking at the new structure created in 27, see more examples of positive, reforming government from the centre, by Augustus; I think, or at least I hope, that I have not been the only person not to see the accumulated weight of this evidence, some of it quite new.

In January 27 B.C., three and a half years after his victory, Octavian appeared before the Senate and formally offered to lay down his powers. What exactly those powers had been, either as triumvir

down to the end of 33 B.C. or in the intervening period, it is perhaps better not to enquire, since the question presents insoluble problems.²² But his only formal office was that of consul, as it had been since 31, and would remain until 23. The response of the Senate, followed by the People of Rome, was to vote him the new, unheard-of name “Augustus” and various other honours, and to establish a new arrangement for the appointment of provincial governors. If we look at all of this from the angle of the provinces, the new name was very soon current, at least in the major centres. As for the new form of government, we have only one detailed contemporary picture of it, in the last paragraph of Strabo’s *Geography* (840): “For when his native country entrusted to him the care of the government, and he was established for life as master of war and peace, he divided the entire territory [of the Empire] into two and allotted one to himself and one to the people.” To anyone accustomed to the intricacies of that familiar topic “the Augustan constitution,” these words will seem wrong, either a blatant over-simplification or, if taken literally—that is, as referring to the actual words of a constitutional enactment—just false. But, once again, we do have to remember that Strabo was a member of a prominent family in Pontos whose contacts with the leading Romans went back to the time of Lucullus; and that he himself had been in Rome and in the twenties had sailed up the Nile in the entourage of the then prefect of Egypt, Aelius Gallus.²³ If this was how he saw the change in 27 B.C., that is a historical fact in itself; if his words are misleading, they constitute, again, a significant error. Note also that to Strabo the division was not between Augustus and the *Senate*, but between Augustus and the people. The content of the division was that the people “sent” governors of consular or praetorian rank to its provinces, while Augustus sent both governors of consular or praetorian rank (i.e., senators) and also ones of equestrian rank to his provinces. The division, therefore, in Strabo’s eyes consisted in the method of appointment of provincial governors. He could not have failed to know, but does not make it clear, that senatorial governors in the people’s provinces bore the republican title of “proconsul,” while those appointed by the emperor bore a title which explicitly referred to their dependence on him, namely *legatus*, or deputy. He could not have failed to know, for the obvious reason that these titles appeared everywhere on public inscriptions. He might perhaps not have known, what Cassius Dio was later to explain so clearly (53, 13–14), that, while the legates were appointed by Augustus and served until he chose to replace them, the proconsuls

were chosen by the ancient system of the lot and served for a year only. In their case therefore the right to submit their name to the lot was one which came to them automatically five years after holding the elected office of praetor or consul. The government of these provinces was thus conferred by the vote of the people, even if indirectly, and imperial patronage played no part. But legates were appointed by imperial patronage, and their public title proclaimed this fact.

Whereas under the Triumvirate, or so it seems, all governors had been appointees, now a man could once again become proconsul of the great and rich province of Africa or Asia, while owing nothing to anyone's patronage. Was this however always clearly perceptible to the class of educated Greeks who, like Strabo, accepted the fact of Roman dominance and ran their own cities within its framework? It does not seem so. One of the most famous of Augustan documents is the great dossier which records how in 9 B.C. the cities of Asia celebrated the new era by agreeing to start all their separate annual calendars from Augustus' birthday, 23 September.²⁴ The proposal, indeed instruction, for this had actually come from the proconsul of Asia himself, Paullus Fabius Maximus, the descendant of a prominent republican family.²⁵ In response to his sycophantic epistle the *koinon* (provincial council) of Asia duly passed a decree making the new arrangements; in it it alluded to their proconsul in the following terms: "the proconsular benefactor of the province, sent by his [Augustus'] right hand and judgement."

So here is another significant mistake; even this distinction, between appointees and non-appointees, could vanish from the perspective of the leading citizens of a rich and civilized province. However, I have so far expressed myself as if this division in the method of appointment of governors, together with the new name "Augustus," were all that there was, from a provincial point of view, to the settlement of 27 B.C. That is indeed exactly what I think; the idea that there were ever two separate spheres of authority or administrative activity, that of the emperor and that of the Senate, in relation to the provinces is just a modern fiction.²⁶ Indeed it is even more of a fiction than I once thought. For I did for a time suppose that while the emperor from the beginning gave a set of instructions (*mandata*) to the legates whom he sent out, he did not do so for proconsuls until about the end of the first century A.D. They therefore, on this view, preserved a certain functional independence.²⁷ But Dio

states quite clearly that Augustus began to issue instructions to proconsuls, as well as to his own appointees, already in 27 B.C. (53, 15, 4). Recent evidence strongly suggests that Dio was right. A recently re-edited letter of Domitius Corbulo, as proconsul of Asia under Claudius (AF 1974, 629), refers to the *entolai*, “instructions,” which must surely be those of the Emperor; and that is confirmation enough.²⁸ Beyond that, two other new items of evidence, of the greatest importance, illustrate the way in which codes of instruction from Augustus, issued to provincial governors or officials, filtered down to affect the lives of communities and individuals in the provinces.

The first is the bilingual edict of Sextus Sotidius Strabo Libuscidianus, issued when he was legate of Galatia early in Tiberius’ reign.²⁹ It is indeed clear that he had been appointed as legate by Augustus, and had continued in office after the Emperor’s death and deification in A.D. 14. The subject matter of the edict is the local application, to the city of Sagalassus and its surrounding region, of an immensely complex set of rules relating to the right of official travellers to requisition transport at fixed prices, and to demand free accommodation up to specific limits. The governor’s dependence on the rules drawn up by the Emperor is heavily stressed in his opening paragraph:

It is the most unjust thing of all for me to tighten up by my own edict that which the Augusti, one the greatest of gods [Augustus], the other the greatest of emperors [Tiberius], have taken the utmost care to prevent, namely that no one should make use of carts without payment. However, since the indiscipline of certain people requires an immediate punishment, I have set up in the individual towns and villages a register of those services which I judge ought to be provided, with the intention of having it observed, or, if it shall be neglected, of enforcing it not only with my own power but with the majesty of the best of princes [in Greek the “Saviour *Sebastos*,” namely Augustus] from whom I received instructions [*entolai/mandata*] concerning these matters.

Behind the confused and self-deprecating language it is evident that a positive code of rules had been drawn up by Augustus, had been embodied in the *mandata* which the legate had originally received, and had been confirmed by Tiberius. There is every reason to suppose that similar instructions were issued by Augustus to governors of all types.

Another code of instructions issued by Augustus was the *Gnomon*, or handbook, for the Roman official in Egypt who was in charge of the *Idios Logos*, the “private account,” which absorbed vacant or confiscated properties. We know it best from a selection of its most commonly applied clauses, found on a papyrus of the mid-second century. The preamble of this text runs: “A summary of the *gnomon* which the deified Augustus delivered to the administration of the *Idios Logos* and of the additions made from time to time by emperors or Senate or the prefects or *Idioi Logoi* of the time.” The code imposed very detailed regulations concerning personal status, the rights of the Emperor to vacant property, and the confiscation of property after condemnation. If this text seems far away from Augustus himself, we come a great deal closer (once again) with a newly published papyrus which contains extracts from the code, and was written before the middle of the first century A.D. (*P.Oxy.* 3014).³⁰

If we think of status, and the rules relating to it, we must inevitably think of the citizenship. By what seems to be a paradox, but is in fact typical of the imperial system, imperial patronage was precisely the instrument which opened the Roman citizenship to the provinces. In that sense the citizenship provides a perfect example of that ambivalent relationship analysed by Andrew Wallace-Hadrill, in which statuses and ranks in the republican system themselves provided the content of patronage by the emperor.³¹

As regards Augustus and the citizenship there are three points to make. Firstly, the disposal of the citizenship by Caesar and Augustus served to distribute around the provinces individuals with the Roman *nomen* Julius, living symbols of the unseen emperor’s influence. Secondly, it was Augustus, in the third of his edicts inscribed in the market-place of Cyrene, who laid down the all-important principle that gaining Roman citizenship would not of itself affect a man’s obligations to his home community; it was precisely this principle which was to determine the political and social structure of the Empire for the next two centuries.³² Thirdly, there is yet another relatively new document, the bronze tablet from Banasa in Morocco. For this reveals that Augustus, with what we can begin to see as an obsession with documentation (compare Suet. *Aug.* 101), had started an archive (*commentarius*) which was to record the names and details of every single person granted the Roman citizenship by himself and (as it turned out) subsequent emperors, at least up to Marcus Aurelius.³³

The citizenship could thus be exported to the provinces, and the details recorded. But so too could existing citizens. We perhaps do not emphasize sufficiently that the age of Caesar, the Triumvirs, and Augustus is not merely the first but the only period in Roman history which saw the state engaged in active and large-scale settlement of citizens outside Italy. The scale and the geographical range of the establishment of veteran colonies makes this one of the important direct effects ever achieved by government in the ancient world; as Augustus claims in the *Res Gestae*, 120,000 men were already in the colonies by 29 B.C., and the colonies themselves were by the end to be found in Africa, Sicily, Macedonia, Spain, Achaea, Asia, Syria, Gallia Narbonensis, Pisidia, and Italy itself (RG 15; 28). Once again, these complex human movements and rearrangements did not just happen. They were subject to direct supervision by Augustus himself. Our evidence that detailed plans, and records of grants of land (significantly called the *liber beneficiorum*, book of grants), remained in the imperial archives “subscribed by the hand of the founder” must relate in the first instance to Augustus himself. Edicts of Augustus attempted to regulate the consequences of the immense disturbances to property and legal rights which were inevitably caused: “There are also certain edicts of Augustus, by which he indicated that wherever he had taken lands from the territories of other cities and assigned them to the veterans (i.e., of a particular colony), nothing else pertained to the jurisdiction of that colony except what had been given and assigned to the veterans.” All this information comes from that invaluable, but obscure and complex source, the writings of the Roman land measurers.³⁴ Each individual colony might also get letters of instruction; giving judgement over disputed land in A.D. 82, Domitian was to recall: “The letter of the deified Augustus, a most diligent *princeps* and most indulgent towards his *quartani* [the veterans of the fourth legion settled at Firmum], in which he advised them to make a record of, and sell, all their unassigned plots.” “I do not doubt,” Domitian concludes, “that they obeyed such salubrious advice.”³⁵

In Italy, so Suetonius records (*Aug.* 46), the twenty-eight colonies, once founded, used to be visited by Augustus, who would equip them with buildings and public revenues. Elsewhere the imperial will could still be felt at a distance. Another relatively new document, from the colony of Alexandria Troas, refers to “the works carried out in the colony by the order of Augustus,” as well as to the levy conducted by him and Tiberius in Rome, and to military decorations granted by

Germanicus (AE 1973, 501). We should not treat as banal the fact that a Latin inscription from the north-west corner of Turkey should recall specific actions on the part of three different members of the imperial house.

Even outside the colonies we come across many traces of both individual decisions and general rules issued by Augustus and affecting the cities of the Empire: in the western Mediterranean, for instance, various benefits granted to the obscure community of the Vanacini in Corsica, or revenues (*vectigalia*) to the equally obscure Saborenses in Spain.³⁶ The apparent source of authority for general rules had changed also. I say apparent authority, because we can rarely be quite certain whether or not some constitutional processes did not precede, or perhaps follow, pronouncements by Augustus. For an example of that problem we may look again at the famous document from Kyme in Asia, first published in 1958.³⁷ What I think is certain about this much-debated text is as follows. Firstly, Augustus and Agrippa, as consuls in 27 B.C., issued some form of general pronouncement ordering the restitution of sacred or public properties which were illegally in private possession. Secondly, a man from Kyme approached the proconsul of Asia and demonstrated that a shrine in Kyme was illegally in private possession. Thirdly, the proconsul wrote to the magistrates of Kyme to say that the shrine was to be restored in accordance with the order (*iussum*) of Augustus, and was to have an inscription saying “Imperator Caesar Divi filius Augustus has restored [it].” The document has a much wider significance than the tedious debates about it have allowed. Firstly, if it really does reflect a general pronouncement concerned with sacred and public property in all provinces, then it seems to be the earliest attested case of such an intervention in the history of Roman rule outside Italy. Secondly, if (as many have argued) a decree of the Senate (*senatus consultum*) or some other collective constitutional act preceded and authorized the pronouncement by Augustus and Agrippa, then it has vanished, even from the perspective of the proconsul himself. What is more, Agrippa, who really did have some role, has also vanished. The more constitutionalist one’s assumptions about the original process, the more striking is the concentration by the proconsul on the figure of Augustus: “Imperator Caesar Divi filius Augustus has restored it.”

The inscription is also an example of how an imperial ruling could have its effect not by direct enforcement but by being known and

being used by an interested party. Both the man in the street and the proconsul act on assumptions which reflect a new map of the world. Above and behind the governor is the unseen figure of the emperor, whose word, if known, can be used to enforce local effects.

How, or if, the emperor's word would become known to his subjects is a monstrous problem, still too little discussed. One way, of course, in those areas where at least some were literate, was the public inscription. But it was not the Roman state or its agents which normally created these, but any city which felt moved to do so. This is the case even with the most general, the most reformist, and the most clearly propagandist pronouncement of Augustus which we have, namely the last of the five edicts inscribed in Greek in the marketplace of Cyrene. The procedure involved, namely the passing of a decree of the Senate under Augustus' influence, aptly reflects the uneasy collaboration of Emperor and Senate; the aim, to establish a simpler process for gaining restitution of money improperly acquired by governors, is typical of Augustus' reforming and moralizing spirit. The tone of paternalistic propaganda addressed to the people might belong to Diocletian. The preamble runs:³⁸

Imperator Caesar Augustus, Pontifex Maximus, holding the tribunician power for the 19th time, says:

The decree of the Senate passed . . . with myself being present and being named jointly as author, being relevant to the security of the allies of the Roman people, I have decided, so that it may be known to all of whom we have the care, to send to the provinces and to subjoin it to my own edict, from which it will be clear to all who dwell in the provinces how much concern is exercised by myself and the Senate that none of those subject to us should endure any improper injury or exaction.

This is in fact the earliest known Roman pronouncement which explicitly addresses itself to the attention of all the inhabitants of the empire. Though the body of the document is a decree of the Senate, it is Augustus' name and titles which occupy the first two lines, and Augustus' words which make up the first paragraph. Those who could read would read them first. Those who could not, could have seen a statue of the emperor; the second edict records that the removal of such a statue, along with others, from public places had already been the subject of accusations within the city (*SEG IX*, 8, ii).

With that we come back to our starting point, the symbolic presence of the emperor, in word and physical representation, in the

provincial community; or rather in those Greek or Latin cities where the “epigraphic habit,” as Ramsey MacMullen has called it,³⁹ was entrenched, and where statues were made. That should bring us in its turn to the imperial cult, or to the confusing nexus of different acts and ceremonials which go under that heading. But the evidence is too complex, and anyway may well evoke “tedium and distaste.” Let me therefore make a few brief points.

Firstly, the notion that the cults directed to emperors evolved from those for Hellenistic kings is hardly even a half-truth. There is nothing anywhere to suggest that the *scale* of cult acts for Hellenistic kings had ever approached that which immediately appeared for Augustus. Few cults of deceased Hellenistic kings still lingered on, and only a modest range of evidence attests cults or games or shrines for even the major Roman figures of the late Republic. The sudden outburst of the celebration of Octavian/Augustus was a new phenomenon.⁴⁰ Nicolaus’ remarks on the temples and sacrifices for Augustus by cities and provinces (*FGrH* 90 F 125) are all the more important because written in the 20s B.C. It was new first in its wide diffusion at the city level and above all in the creation, from 30/29 B.C. onwards, of provincial cults, with common temples of Roma and Augustus, common annual games associated with them, and annual high priesthoods. Everyone knows that these arrangements were formally permitted to the provinces of Asia and Bithynia by Octavian in 30/29 B.C. (Dio 51, 20, 6–9). What deserves equal emphasis is the fact that he subsequently took a detailed interest in the practical arrangements. For instance, in the early days of the provincial cult in Asia a choir assembled to sing hymns to the emperor; I am not sure whether I wish that a text of such a hymn had survived. At any rate Augustus subsequently laid down arrangements for the expenses of the choir to be shared by the cities of the province.⁴¹ In Syria there is nothing to suggest that a provincial league already existed, as it had in Asia, or that there were any surviving cults of the Seleucids. Indeed, until a few years ago there was no evidence even of the existence of a provincial cult in Syria under Augustus. But now we know there was, and that the first high priest was a man personally honoured by the emperor. This is how the man, Dexandros, appears in an inscription from Apamea in honour of his great-grandson: listing distinguished ancestors, the inscription continues “And above all Dexandros, the first man to have been priest of the province, his great-grandfather [who] by the decree of the deified Augustus, because of his friendship and loyalty to the Roman people, was inscribed as a friend and ally on bronze tablets on the

Capitol.”⁴² The inscription shows the honours given to a local notable associated with the cult of the emperor; and it is also another example of the use by Augustus of the apparatus of the Roman *res publica*.

The provincial cult was not, even in Asia, a natural development from a long tradition, but an organized novelty, soon exported, as we now know, to Syria, and also, as has always been known, to Gaul. At the level of the city also, the dossier of 9 B.C. from Asia can simply assume that there will be Kaisareia at least in the assize-centres, and “Caesarean” games apparently everywhere; city cults of Augustus are in fact attested in thirty-four places in Asia, a figure never again approached in the case of any later emperor.⁴³ Once again the reign of Augustus can be seen not only as a beginning, but as a phase in itself. Equally distinctive is the scatter of cults for other members of the imperial family, matching their appearance on both Roman and civic coins (see text to nn. 20–21). For example, an inscription published in 1962 revealed a priest of Augustus, Gaius, and Agrippa on Samos,⁴⁴ and one of 1972 a priest of Agrippa Postumus and Hermes at Iasos in Caria (*AE* 1974, 628).

But we do not need these passing allusions to perceive the importance of the imperial family in the new political system. We can go back to the long-known oath of Gangra in Paphlagonia, the same oath which was being sworn in the country districts at the *Sebastea* and at Neapolis in the *Sebasteon*, at the altar of the *Sebastos*. The opening words were “I swear by Zeus, Ge, Helios, all the gods and goddesses and the Sebastos himself to be loyal to Caesar Sebastos *and his children and his descendants*.”⁴⁵ Perhaps these are after all just ignorant Greeks from the interior of Asia Minor, accustomed to royal dynasties. So let us take the inhabitants of the Roman colony of Narbo in Provence—by now called in full Colonia Iulia Paterna Narbo Martia—and the exact words of the oath (*votum*) which they took in A.D. 11: “That it should be good, fortunate, and auspicious for Imperator Caesar divi filius Augustus, Pater Patriae, Pontifex Maximus, holding the tribunician power for the 34th time, *and his wife and children and his family* and the Senate and People of Rome and the *coloni* and *incolae* of the Colony.” Even on an altar to the *numen* (spirit) of Augustus, erected in recognition of his settlement of divisions in the town, they did not have to select just these elements, in that order.⁴⁶

If we turn to yet another relatively new document, we can see that the emphasis on the imperial family could seem appropriate, not just to provincial communities but to a senatorial official fulfilling a public

role in his province. Thus the town of Messene passed a decree to honour the *quaestor pro praetore* of Achaëa, Publius Cornelius Scipio, who “being filled with unexcelled good will to Augustus *and all his house*” had conducted the Kaisareia in lavish style and, learning the news of Gaius Caesar’s campaigns in the East, had carried out a public sacrifice for his safety (*SEG* XXIII, 206 = *AE* 1967, 458). When Gaius died, what significance was to be attached to the event? We can judge best from the second of the two famous inscriptions from Pisa, or rather the “*Colonia Obsequens Iulia Pisana*,” a place already equipped with an *Augusteum* and a *Flamen Augustalis* (a temple and priest of Augustus):⁴⁷

When the news was brought that Gaius Caesar, the son of Augustus, *Pater Patriae* [father of his country], *Pontifex Maximus*, guardian of the Roman Empire, and governor [*praeses*] of the whole world, grandson of the deified . . . had by a cruel fate been seized from the Roman people, when already designated as a most just *princeps* and closest to the qualities of his father, and the only protector of our colony.

We ought to recall, listening to these words, that those who composed them came from precisely that Italian middle class which Jones once supposed to have been the group most attached to the republican constitution.⁴⁸

New documents allow us to hear more and more of the words which people felt to be publicly appropriate under Augustus, or which he uttered to them. We should not brush these words aside as insincere (which we cannot know and, in any case, is irrelevant) or as misapprehensions of some privileged reality which is knowable in some other way. For these public expressions *are* a significant part of what we can know of the reality of the Roman Empire for those who lived in it. Instead we should be impressed by the suddenness and extent of the creation of a symbolic relationship between the new source of power and the provincial communities. It is possible to see entire town centres, say at Athens, or at Lepcis Magna,⁴⁹ which were transformed under Augustus by the erection of buildings related to the emperor and his household.

I have concentrated on provincial towns, and the rituals, images, and words in which they represented the imperial power; on the role of senatorial governors in reinforcing that same message; and on the relatively active role of Augustus himself in addressing his words to the people. But in fact there was nowhere where the impact of

monarchy was more emphatic than in Rome itself. There is no need for a catalogue of buildings. Let us take one of our best examples of the continued functioning of *res publica*, namely the law passed in 9 B.C. to define offences against the aqueducts: “The Consul, T. Quinctius Crispinus, duly put the question to the people and the people duly passed a vote in the Forum, before the Rostra of the temple of the deified Julius on the thirtieth day of June. The Sergian tribe was to vote first.”⁵⁰

The consul spoke from the new Rostra, decorated with the spoils of Actium, and placed in front of the temple of Julius Caesar; completed in 29 B.C., the temple occupied a central point in the old Forum, blocking off the Regia from the large open space including the Comitium. The temple therefore rose behind the consul as he had the law read out; if the doors were open, the crowd would have been able to see the statue of the deified Caesar within. To the right, some at least of the crowd could see the new arch of Augustus dedicated in 19 B.C. If they looked further round to the right they could see the Basilica Iulia, begun by Caesar and completed by Augustus. Directly behind them stood the old Rostra, shifted to a new position by Julius Caesar. Those at the back, if a large enough crowd had come, could see on their left the new Senate house, the Curia Iulia, begun by Caesar and finally dedicated by Octavian in 29 B.C., which was attached to the outside of one of the porticoes of the vast new Forum Iulium.⁵¹ From further over to their left they might have been aware of work going on to complete the Forum of Augustus with the temple of Mars Ultor; as yet, however, they had been spared its programmatic re-reading of Roman history in terms of legendary ancestors and kings, together with historical *summi viri* (foremost men), that is to say, those *duces* (generals) whose individual achievements had brought the *imperium* of the Roman people from insignificance to greatness.⁵²

If they were still unclear as to what symbolic message was being delivered, they could always have taken a walk to the north end of the Campus Martius, past the Saepta and Pantheon built by Agrippa, past the Ara Pacis, dedicated in January of that very year (9 B.C.); and parallel with it—probably dedicated at the same time—the monstrous sundial marked out by Augustus over some 150 metres of the Campus, its shadow provided by an obelisk brought from Heliopolis, which stood, with its base, some 30 metres high.⁵³ They could then have contemplated the hideous mass of Augustus’ Mausoleum,⁵⁴ at some 88

metres across the base, it was the largest Roman tomb so far known, begun perhaps in the late 30s or at the latest in 28 B.C., that is, just before the chance was solemnly offered for Senate and People to exercise their discretion (*arbitrium*). By 9 B.C. the Mausoleum already contained the remains of two members of the imperial family, Marcellus and Agrippa, and would very soon receive those of Drusus. A quarter of a century later, once Augustus' ashes had also been placed there, the passer-by was to have the chance to read his *Res Gestae*, inscribed on bronze tablets attached to pillars standing in front of it. Unlike modern scholars, this passer-by could also, from time to time, lift up his eyes from the text and observe, at a height of some 40 metres above where he was standing, the bronze image of Caesar Augustus which rose over the tomb. Returning to the text, he was probably not clever enough to read it as a republican document.

NOTES

*First published in F. Millar and E. Segal, eds., *Caesar Augustus: Seven Aspects* (1984), 37–60. I am very grateful to Michael Crawford and Simon Price for corrections and comments.

1. *SEG* XXVI, 1243; *AE* 1975, 799; now *I.K.Eph.* III, 902.

2. *I.K.Eph.* III, 902, ll. 8–10: “Perikles son of Herakleis, by birth Charopinos,” certainly to be identified with the Charopinos of Ephesus of R. K. Sherck, *Roman Documents from the Greek East* (1969), no. 57.

3. *IGLS* III, 718: Sherck (n. 2), no. 58, doc. iii.

4. I am much indebted throughout to the methodology of S. R. F. Price, “Between Man and God: Sacrifice in the Roman Imperial Cult,” *JRS* 70 (1980): 28, and to his *Rituals and Power: The Roman Imperial Cult in Asia Minor* (1984).

5. See J. R. Rea, “Lease of a Red Cow Named Thayris,” *JEA* 68 (1982): 277.

6. See F. Millar, “The Mediterranean and the Roman Revolution: Politics, War and the Economy,” *Past and Present* 102 (1984): 3 (chapter 9 in this volume).

7. See E. Badian, *Publicans and Sinners* (1972); for the problems about the ending of the *publicani* system for direct taxation, see P. A. Brunt in A. H. M. Jones, *The Roman Economy* (1974), 180–81. But cf. Cl. Nicolet, “Augustus, Government, and the Propertied Classes,” in F. Millar and E. Segal, eds., *Caesar Augustus: Seven Aspects* (1984), 101–3.

8. The inscription from Aphrodisias originally published by K. T.

Erim, *PBSR* 37 (1969): 92, has been re-edited by T. Drew-Bear, *BCH* 96 (1972): 443, and J. Reynolds, *Aphrodisias and Rome* (1982), doc. 5.

9. Reynolds (n. 8). doc. 13. Miss Reynolds is inclined to date the reply earlier, because of the reference to the war, which she argues to have been that of Labienus. But while, for the reasons she gives, the presence of the name “Augustus” is not significant for dating, the reference to Aphrodisias having taken “my side” (*ta ema phronesas*) seems to me to reflect the situation after Actium. Compare the cases of Sparta and Mantinea, which also took Octavian’s side; see G. Bowersock, “Augustus and the East: The Problem of Succession,” in Millar and Segal (n. 7), 169. The date must in any case be before Samos successfully gained freedom in 20/19 (Dio 5, 9, 7).

10. Reynolds (n. 8), doc. 8.

11. See F. Millar, *The Emperor in the Roman World (31 BC–AD 337)* (1977).

12. Return to Rome, 29 B.C.; Gaul and Spain, 27–24 B.C.; in the Greek East, 22–19 B.C.; in Gaul, 16–13 B.C.

13. See P. A. Brunt, “The Revenues of Rome,” *JRS* 71 (1981): 161, on pp. 163–64. Note also T. D. Barnes, *The New Empire of Diocletian and Constantine* (1982), 226–27.

14. See E. Schürer, *History of the Jewish People*, ed. G. Vermes and F. Millar, I (1973), 381–82; 399–427. For the continuity of the resistance movement, M. Stern “Sicarii and Zealots,” *World History of the Jewish People*, VIII (1977), 263. Census in Syria: *ILS* 2683.

15. Mark 12:13–17; Math. 22:17–22; Luke 20:21–6. For the significance to the population of the representation of the emperor (as opposed to that of any short-term information—or propaganda—content of coin types), see M. H. Crawford, “Roman Imperial Coin Types and the Formation of Public Opinion,” in C. N. L. Brooke, I. Stewart, J. G. Pollard, and T. R. Volk, *Studies in Numismatic Method Presented to Philip Grierson* (1983), 47.

16. *RG* 27; cf. *CIL* VI 702: “Aegypto in potestatem populi Romani redacta” (from the base of the obelisk used for Augustus’ sundial, see text to n. 53); cf. Vell. Pat. 2, 39, 2.

17. See M. H. Crawford, *Roman Republican Coinage* (1974), 734–35; for the gold statue portraying Flamininus, not a *Roman* issue, see p. 544.

18. For the most complete account, see C. H. V. Sutherland and C. M. Kraay, *Catalogue of Coins of the Roman Empire in the Ashmolean*

Museum I: Augustus (c. 31 B.C.–A.D. 14) (1975).

19. For a very useful survey of the civic coin portraits of Augustus, see S. Walker and A. Burnett, *Augustus: Handlist of the Exhibition and Supplementary Studies, British Museum, Occasional Papers* 16 (1981), 23–24.

20. See, e.g., C. H. V. Sutherland, *Coinage in Roman Imperial Policy, 32 BC–AD 68* (1951), chap. 4, for the representation of different members of Augustus' family on Roman coinage.

21. Walker and Burnett (n. 19), 57–58.

22. For the author's views, which remain controversial, see F. Millar, "Triumvirate and Principate," *JRS* 63 (1973): 50 (chapter 10 in this volume).

23. On Strabo, see G. W. Bowersock, *Augustus and the Greek World* (1965), 127–29.

24. The fullest discussion of the various texts is U. Laffi, "Le iscrizioni relativi all' introduzione nel 9 a. C. del nuovo calendario della provincia d'Asia," *Stud. Class. e Or.* 16 (1967): 5.

25. *PIR*² F 47; see R. Syme, *History in Ovid* (1978), chap. 8.

26. See F. Millar, "The Emperor, the Senate and the Provinces," *JRS* 56 (1966): 156 (chapter 11 in this volume); see also W. K. Lacey, "Octavian in the Senate, January 27 BC," *JRS* 64 (1974): 176.

27. Millar (n. 26), 157–58; (n. 11), 314–17.

28. G. P. Burton, "The Issuing of Mandata to Proconsuls and a New Inscription from Cos," *ZPE* 21 (1976): 63.

29. Published by S. Mitchell, "Requisitioned Transport in the Roman Empire: A New Inscription from Pisidia," *JRS* 66 (1976): 106; *AE* 1976, 653; *SEG* XXVI, 1392.

30. S. Riccobono, *Il Gnomon dell'Idios Logos* (1950); see Millar (n. 11), 159.

31. A. Wallace-Hadrill, "Civilis Princeps: Between Citizen and King," *JRS* 72 (1982): 32.

32. See F. Millar, "Empire and City, Augustus to Julian: Obligations, Excuses and Status," *JRS* 73 (1983): 76 (= chapter 16 in *Rome, the Greek World, and the East*, vol. 2).

33. First published by W. Seston and M. Euzennat, "Un dossier de la chancellerie romaine: la *Tabula Banasitana*, étude de diplomatie," *CRAI* (1971): 468; see, e.g., A. N. Sherwin-White, *JRS* 63 (1973): 86; *AE* 1971, 534.

34. *Corpus Agrimensorum Romanorum* I, ed. Thulin, 165–66 and 82–83; Millar (n. 11), 263–64.

35. *CIL* IX, 5420; *FIRA*² I, no. 5.

36. *FIRA*² I, 72; 74.

37. *SEG* XVIII, 555; Sherk (n. 2), no. 61; *I. K. Kyme* no. 17 (with restorations which seem to me ill advised). See most recently N. Charbonnel, “À propos de l’inscription de Kymé et des pouvoirs d’Auguste dans les provinces au lendemain du règlement de 27 av. n.è.,” *RIDA* 26 (1979): 177.

38. *SEG* IX, 8, v; Sherk (n. 2), no. 31.

39. R. MacMullen, “The Epigraphic Habit in the Roman Empire,” *AJPh* 103 (1982): 233.

40. See esp. K. Tuchelt, *Frühe Denkmäler Roms in Kleinasien I: Roma und Promagistrate* (1979), and Price (n. 4, 1984).

41. F. K. Dörner, *Der Erlass des Statthalters von Asia Paullus Fabius Persicus* (1935), col. viii, lines 11–19; *I. K. Ephesos* Ia, nos. 17–19; 18d, lines 11–19.

42. J. P. Rey-Coquais, “Inscriptions grecques d’Apamée,” *Ann. Arch. Arab. Syr.* 23 (1973): 39, no. 2; *AE* 1976, 678; see *BE* 1976, 718.

43. Price (n. 4, 1984), chap. 3.

44. P. Herrmann, “Die Inschriften römischer Zeit aus dem Heraion von Samos,” *Ath. Mitt.* 75 (1960, app. 1962): 68 no. 1, part B.

45. *IGR* III, 137; *OGIS* 532; *ILS* 8781; cf. P. Herrmann, *Der römische Kaisereid* (1968), esp. 96–97.

46. *ILS* 112. See P. Kreissel, “Entstehung und Bedeutung der Augustalität. Zur Inschrift der *ara Narbonensis* (*CIL* XII, 4333),” *Chiron* 10 (1980): 291.

47. *ILS* 140. See, e.g., A. R. Marotta d’Agata, *Decreta Pisana* (*CIL* XI, 1420–21) (1980).

48. A. H. M. Jones, “The *Imperium* of Augustus,” *JRS* 41 (1951): 112 = *Studies in Roman Government and Law* (1960), 1.

49. See T. L. Shear, “Athens: From City-State to Provincial Town,” *Hesperia* 50 (1981): 356; E. Smadja, “L’inscription du culte impériale dans la cité: l’exemple de Lepcis Magna au début de l’Empire,” *Dial. d’hist. anc.* 4 (1978): 171.

50. Frontinus, *De aquae ductu* 2, 129 (Loeb trans.).

51. See P. Zanker, *Forum Romanum: die Neugestaltung durch Augustus*

(1972).

52. See P. Zanker, *Forum Augustum: das Bildprogramm* (1968); Degrassi, *Ins. It.* XIII. 3: *Elogia* (1937). See S. R. Tuft, "Frammenti delle statue dei summi viri nel Foro di Augusto," *Dial. di Arch.* 3 (1981): 69. For the *duces*, Suet. *Aug.* 31.

53. See E. Buchner, *Die Sonnenuhr des Augustus* (1982).

54. For the Mausoleum, see, e.g., R. A. Cordingley and I. A. Richmond, "The Mausoleum of Augustus," *PBSR* 10 (1927): 23; K. Kraft, "Der Sinn des Mausoleums des Augustus," *Historia* 16 (1967): 189 = *Gesammelte Aufsätze zur antiken Geschichte und Militärgeschichte* (1973), 29 (for the view that building began in the late 30s and was complete by 28 B.C.); J.-C. Richard, "'Mausoleum': d'Halicarnasse à Rome, puis à Alexandrie," *Latomus* 29 (1970): 370. See J. M. C. Toynbee, *Death and Burial in the Roman World* (1971), 144–45.

CHAPTER THIRTEEN

“Senatorial” Provinces: An Institutionalized Ghost



In Memoriam Ronald Syme

As the fiftieth anniversary of the publication of *The Roman Revolution* approaches, a renewed interest has been felt in the very profound “revolution” referred to, which with extraordinary speed transformed the exercise of power, the functions of the organs of the *res publica* (all of which, in some sense at least, survived), the nature and accessibility of the Roman citizenship, and the perception on the part of the peoples of the Empire as to what was the nature of the political system within which they lived. The vivid, but nonetheless ambivalent, reflection of the new order in what we label “Augustan” literature also remains a fruitful, if treacherous, field of study. But the most important new light on this great transformation has certainly come from the demonstration of the wholly new “language” of Roman art and architecture provided by the major book of Paul Zanker, *Augustus und die Macht der Bilder* (1987), the Jerome Lectures of 1983–84, translated as *The Power of Images in the Age of Augustus* (1988). We can safely say that Augustan Rome will never look the same again.

In the face of this other Roman “revolution,” it may seem perverse to go back to one of those dry and tedious questions of constitutional terminology which are calculated to recall all too clearly the sterile debates on the niceties of “the Augustan constitution,” which used to be so common in learned journals. Nonetheless, I hope that it can be proved that the exercise is illuminating. For it shows, firstly, how modern scholars have imposed on the ancient evidence an item of terminology, “the senatorial provinces” (“die senatorischen Provinzen”) for which the ancient sources themselves offer not the slightest justification. Secondly, we may recall that it has long since been demonstrated that the supposed division into “Imperial” and “Senatorial” provinces corresponds to no division of administrative practice or of political responsibility, but simply reflects the method and conditions of appointment and the length of tenure of *legati Augusti pro praetore* (legates of Augustus with praetorian rank) on the one hand and of proconsuls on the other.¹ That issue does not, I think,

need to be rehearsed again, and will be not re-argued here. But it is highly significant that nonetheless the term “senatorial provinces” has remained in use as a common description of those provinces which from 27 B.C. onwards reverted to being governed by proconsuls selected by lot and serving normally for only one year.² For the unreflecting imposition of this term not only flies in the face of the ancient evidence but expresses a lingering presumption—of a very profound kind—about the Roman revolution itself. That is to say, that the political and constitutional system as against which, or from within the framework of which, a monarch emerged was one in which the sovereign element had been the Roman Senate. Therefore, in so far as the “settlements” of 27 B.C. and after, which gave constitutional expression to Augustus’ monarchic position, were compromises, they were compromises between the Senate and the Emperor. Consequently, as then hardly needs to be argued, the division of the provinces carried out in 27 January must have been a division between Emperor and Senate.

But it was not. The sovereign body in the Roman *res publica*, to which the *imperium* and the provinces belonged, was not the Senate but the Roman people. As our only contemporary source makes quite explicit, it was the people to whom Augustus gave back certain provinces in 27 B.C. as part of the termination of the Triumviral system. And those provinces were henceforward to be known as *publicae provinciae* (public provinces), or even more explicitly as *provinciae populi Romani* (the provinces of the Roman people).

Before the evidence is set out in more detail, it may be relevant to recall some features of the public vocabulary, or public ideology, of the early Principate already discussed in relation to the Tabula Siarensis and Tabula Hebana of A.D. 19, two major inscriptions, which together present a single text of almost limitless importance.³ Firstly, the whole Empire, and not merely the public provinces, belonged in principle to the Roman people, and it was to its *imperium* or *potestas* that the Emperor or members of his family were seen as making newly acquired areas subject: “I added Egypt to the *imperium* of the Roman people” (RG 27, 1); “Egypt having become subject to the power of the Roman people” (*Aegypto in potestatem populi Romani redacta*, ILS 91); “Tiberius Caesar . . . made Cappadocia tributary to the Roman people” (Vell. Pat. 2, 39, 3). Both areas were to be governed not even by senators but by *Equites* appointed by the Emperor. In the same way Gaius Caesar was conceived of after his death as having been

conducting a campaign “beyond the furthest territories of the Roman people” (*ILS* 140, ll. 10–11).

Furthermore, one of the important revelations of the *Tabula Siarensis* is that in A.D. 19 an army commanded by a legate of Augustus in one of the provinces of Caesar was also conceived of as an army of the Roman people. For the text refers back to the disaster under Quinctilius Varus in A.D. 9, and to Germanicus’ supposed revenge for that defeat, in just these terms (Fr. I, ll. 14–15): “the military standards having been retrieved and the treacherous defeat of the Roman people avenged” (*receptisque signis militaribus et vindicata frau[dulenta clade] exercitus p(opuli) R(omani)*). There was therefore a clear, wider sense in which the formal sovereignty in the whole Roman empire lay not yet with the Emperor himself but with the Roman people.

It is with these considerations in mind that we ought to look again at the evidence we have for the nature of the division of the provinces in 27 B.C. and for subsequent transferrals of provinces from one system to the other. Our earliest and most explicit description, and the only one provided by a contemporary, is that given by Strabo in the concluding chapter of his *Geography*. His conception of the nature of the division is quite unambiguous: “he [Augustus] divided the entire territory [of the empire] in two, and assigned one half to himself, and the other to the people” (*Geog.* 840). He continues by explaining that the more peaceful provinces were assigned to the people (*toi demoi*, again); the two halves of the Empire were subdivided into separate provinces, “of which some are called [provinces] of Caesar and others [provinces] of the people.” The rest of what Strabo says concerns the method of appointment to the two types of province, and there is no allusion to the Senate. The Emperor appoints the governors of his provinces, while it is the people which sends (*pempei*) praetors or consuls to its part. Strictly speaking, he ought to have spoken of ex-praetors and ex-consuls, and he makes no reference to the use of the lot. But he is correct in that the praetorship or consulship, gained by popular election, was a necessary and sufficient condition—bar only the use of the lot—for being the proconsul of a public province (*demosia eparchia* in Strabo).

There is no further description of this division in our sources (none is supplied by Velleius) until we come to Suetonius’ *Life of Augustus*, where a reference to the lot duly appears: “the others he [Augustus] assigned to proconsuls selected by lot” (*ceteras [provincias]*

proconsulibus sortito permisit, Div. Aug. 47). Again the emphasis is on the method of appointment, and there is no reference to the Senate as a body. Where such a reference does appear, though only in a tangential way, is in Cassius Dio's account of the same arrangement: here it is said that Augustus "gave back" (*apedoke*) the more peaceful provinces, without it being said to whom.⁴ Dio adds the comment that he did so notionally so that the Senate (*gerousia* here) might have the untroubled benefit of the fairest part of the empire (53, 12, 2–3). He then lists those provinces which were to be those of the people and Senate (12, 4). This is, of course, an allusion to the Senate; but such an allusion, as part of a phrase equivalent to *Senatus Populusque Romanus* (*SPQR*), has a sense quite different from one which would imply an administrative or constitutional competence of the Senate per se. If that needed a demonstration, it is provided a few lines later (12, 7), when Dio says that Augustus subsequently gave back Cyprus and Narbonensis to the people (*demos*, cf. 54, 4, 1). The same combined term, as used in Dio's Greek, also reappears a couple of chapters later (14, 5), when he speaks of the quaestors appointed by lot and the (occasional) legates sent to the provinces called "those of the People and Senate." The implications of this phrase are thus quite clear: the provinces concerned were those where the system long established in the Roman *res publica* prevailed, whereby appointment to specific provinces was made by lot.

Only at one moment in his detailed description of the provincial system does Dio speak as if the provinces governed by proconsuls of consular or praetorian rank were in some way the collective concern of the Senate as such. Here (53, 14, 1–2) he is contrasting the fact that emperors sometimes appointed to "their" provinces governors who were still in their year of office as praetor or consul. By contrast Augustus assigned to the Senate for its part, and to ex-consuls, the provinces of Africa and Asia, and the remaining ones to ex-praetors, but with the strict rule that allocation by lot should not take place until five years had elapsed after the relevant magistracy in the city. Whatever Dio means to imply here about the role of the Senate as a whole, the context of the reference is clearly to the process of appointment of proconsuls, and not to any wider administrative function.

In his books on the Augustan period Dio is otherwise quite consistent in speaking of the non-imperial provinces as being "of the people."⁵ Only once later does he (or rather, strictly speaking,

Xiphilinus) use a different terminology: when C. Iulius Severus was sent as legate to the previously public province of Pontus and Bithynia in circa 134, Lycia-Pamphylia “was given to the Senate and the lot” (69, 14, 4).

Of course, it cannot be claimed that there is complete consistency and lack of ambiguity in the language which our narrative sources use; for if that were so, the confusion which this chapter attempts to clear up would never have arisen. So, for instance, when Suetonius wants to say that Claudius returned Achaea and Macedonia to rule by proconsuls, he does so in language which fits the traditional presuppositions very well: “He gave back to the Senate the provinces of Achaea and Macedonia, which Tiberius had taken to himself” (*Div. Claud.* 25, 3). Dio, however, interprets this same transfer (on my hypothesis correctly) as meaning that he restored these governorships to the system of appointment by lot (60, 24, 1).

But in spite of these ambiguities, the fact remains that no text known to me speaks of the proconsular provinces as being “senatorial,” or as being the provinces “of the Senate.” More important, however, is the fact that a perfectly clear alternative designation for them, with wholly different connotations, is perfectly well attested. To Tacitus these provinces were *publicae provinciae* (public provinces, *Ann.* 13, 4, 3). More specifically still, to Gaius, writing in the middle of the second century, the provinces were still divided into provinces of the Roman people and provinces of Caesar (*provinciae populi Romani* and *provinciae Caesaris*). This division was relevant first of all to the vehicles for the dissemination of Roman law, and the specification of those office-holders who possessed the right of issuing edicts (*ius edicendi*): “the same is true of the edicts of the curule aediles, whose jurisdiction in the provinces of the Roman people is held by the quaestors; for quaestors are not sent at all into the provinces of Caesar” (*Inst.* 1, 1, 6). It is true that with Gaius, as with all other jurists, we have to remind ourselves that what we are reading is not the expression of a perfectly codified entity called “Roman Law,” but a work of scholarly interpretation which allowed a lot of room for personal theorizing, sometimes of an antiquarian character, and for ex post facto excogitation of general principles designed to explain existing, or indeed no longer existing, practices. Hence Gaius, alone of all the jurists known to us, goes on to develop a quite eccentric theory about the ownership of provincial land, based on the division of the provinces into two types. We can, he says, cause

a place (*locus*) to become sacred (*religiosus*) by interring a corpse there, but not, however, if the area concerned is provincial: “But some people claim that on provincial ground a place cannot become sacred [i.e. in this way] since the full ownership [*dominium*] of such land belongs to the Roman people or to Caesar; we, on the other hand, can only acquire possession or usufruct there” (2, 6–7). He does indeed seem to mean that on this theory full ownership (*dominium*) depended on whether the province concerned was Caesar’s or the people’s. For a little later he produces another distinction which is unique to himself: “To this category belong provincial lands, of which some are called *stipendiaria* and others *tributaria*. *Stipendiaria* are those located in these provinces which belong to the Roman people; *tributaria* are those located in those provinces which are believed to belong to Caesar” (2, 21).

It is not necessary here to discuss whether there could be any justification for Gaius’ distinction between *praedia stipendiaria* and *praedia tributaria*, or to dwell on the expressions found quite frequently in the writings of the classical jurists, which reflect their perception of Roman law as being based still on the sovereignty of the Roman people.⁶ Enough has been said to demonstrate the fragility of any supposed textual justification for the expression “senatorial province,” a term which retains an established place even in the standard modern work on the Senate of the imperial period.⁷ The fact that this pseudo-technical expression conveys presuppositions about administrative practice which our evidence does not support is reason enough for suggesting that we should cease to use it. But there are far more significant reasons than that. For if we were instead to speak, as our sources do, of the public provinces or the provinces of the Roman people, we would thereby remind ourselves that the inherited framework to which Augustus adjusted himself with such skill consisted not just of the Senate but of the *res publica* as a whole or, in political terms, the *Senatus Populusque Romanus*. After all, that is precisely what, in his posthumously published *Res Gestae*, Augustus tells us himself: “I transferred the *res publica* from my own power [*potestas*] to the discretion [*arbitrium*] of the senate and the Roman people” (RG 34). Too little attention is paid to the subtle choice of terminology deployed here. For the exercise of what is here described, looking back over more than four decades, as *arbitrium* by the Senate and People, had consisted in an apparently free vote to entrust certain major provinces, for a period of ten years, to the newly named Augustus.⁸ A choice, an act of *arbitrium*, had, formally speaking, been

made. Hence the precise, and extremely revealing, terms in which Ovid was to celebrate this moment in the *Fasti*, notionally addressing Germanicus: “all the provinces [*omnis provincia*] have been restored to our people, and your grandfather was called by the name Augustus” (1, 589–90). *Omnis provincia* here does not mean “die gesamte Staatsgewalt” (so Bomer *ad loc.*); it means what it says. Moreover, whatever the *Fasti Praenestini* for this day, 13 January, said, it certainly alluded to an act of redistribution by Augustus to the Roman people.

Indeed, even the provinces of Caesar remained, on a wider definition, subject in principle to the *imperium* of the Roman people. This constitutional conception too is firmly embedded in the *Res Gestae*, for example, 26.1: “I extended the territories of all the provinces of the Roman people.” Nonetheless, the distinction between provinces whose governors were *legati Augusti pro praetore* nominated by the Emperor and those governed by proconsuls accompanied by quaestors, both appointed by lot on the traditional system, was a real one, and justified the custom of calling the first group “the provinces of Caesar” and the second “the public provinces,” or “the provinces of the Roman people.” We should now abandon the wholly illegitimate expression “senatorial provinces,” and adopt one or other of these two expressions: but preferably, following both Strabo and Gaius, *provinciae populi Romani*. The use of this expression would further serve to remind us that, fifty years later, the last word on the Roman revolution has yet to be said.

NOTES

*First published in *Ancient World* 20 (1989): 93–97.

1. F. Millar, “The Emperor, the Senate and the Provinces,” *JRS* 56 (1966): 156 (chapter 11 in this volume), with revisions in *The Emperor in the Roman World* (1977), 313ff., and in “State and Subject: The Impact of Monarchy,” in F. Millar and E. Segal, eds., *Caesar Augustus: Seven Aspects* (1984) 37, esp. 45ff. (chapter 12 in this volume).

2. See, for instance, the generally excellent commentary on Suetonius, *Divus Augustus* by J. M. Carter (1982), 163ff. (on chap. 47, 1).

3. F. Millar, “Imperial Ideology in the Tabula Siarensis,” in J. González, ed., *Estudios sobre la Tabula Siarensis, Anejos de Archivo Español de Arqueología* 9 (1988): 11 (chapter 15 in this volume), with some further points in “Government and Diplomacy in the Roman

Empire during the First Three Centuries,” *Int. Hist. Rev.* 10 (1988): 345, 348. The Tabula Siarensis is reprinted, but without division into lines, as *AE* 1984, 508. Note also the very helpful translation of the combined text in R. K. Sherck, *The Roman Empire: Augustus to Hadrian* (1985), no. 36. See now M. Crawford, ed., *Roman Statutes I* (1996), no. 37/8.

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4. As was noted in *JRS* 56 (1966): 156, the words appear in the versions of Xiphilinus and Zonaras at this point, but not in the transmitted text of Dio.

5. Dio 53, 15, 3: “those which are his, and those which are the people’s”; 55, 28, 2: “In the provinces of the people”; 54, 7, 5: “although also these provinces (*ethne*) belong to the people.”

6. See, for instance, Gaius, *Inst.* 1, 53: “It is not allowed either to Roman citizens or to others who are under the *imperium* of the Roman people . . .”; 4, 28: “the public revenues of the Roman people”; *Dig.* 43, 8, 3 (Celsus): “The shores over which the Roman people has *imperium* I consider to belong to the Roman people”; 49, 15, 24 (Ulpian): “Enemies are those on whom the Roman people has publicly declared war, or who have themselves [declared war] on the Roman people.”

7. R. J. A. Talbert, *The Senate of Imperial Rome* (1984), 392–407.

8. For the most careful modern treatment of these procedures, see W. K. Lacey, “Octavian in the Senate, January 27 B.C.,” *JRS* 64 (1974): 176, suggesting convincingly that the key element was a senatorial debate and vote *de provinciis consularibus* (“concerning the proconsular provinces”). Whether the people also voted on this specific point is unclear, but they certainly did on the honours granted in mid-January to Octavian/Augustus; Dio 53, 12, 1; *RG* 34, 1, and Lacey, “Octavian in the Senate,” 181.

CHAPTER FOURTEEN

Ovid and the Domus Augusta: Rome Seen from Tomoi



From Triumviral to Augustan Literature

The greatest works of what we normally call “Augustan” literature were produced by writers who came to maturity in the Triumviral period, and were already established as major authors before January 27 B.C., when “Imperator Caesar Divi filius,” whom we like to call “Octavianus,” gained the unprecedented cognomen “Augustus.” By that moment the *Eclogues* and *Georgics* of Virgil were already written, as were the *Epodes* and *Satires* of Horace and book I of the *Elegies* of Propertius. Livy had composed his sombre preface, and probably the whole first pentad, in the later Triumviral period, around the time of Actium or soon after.¹

We might thus wish to see these writers not as “Augustan” but as “Triumviral,” along (for instance) with Sallust, and the much underestimated Cornelius Nepos (whose *Life of Atticus* is the most illuminating prose work for the 40s and 30s),² not to speak of Vitruvius, whose *De Architectura* does not address the dedicatee as “Augustus.” Several of the key monuments of “Augustan” Rome were equally dedicated before the name “Augustus” was acquired: the Mausoleum on the Campus Martius, the temple of Apollo Palatinus, and the Curia Julia.³ Equally, the impulse to repair the ancient temple of Iuppiter Feretrius on the Capitol had come from Atticus, who had died in 32 B.C.⁴

But if we decided to identify this crucial and creative period in the history of Roman culture as “Triumviral,”⁵ which writers can we designate as truly and unambiguously “Augustan”? The great “Augustans” Virgil, Horace, Propertius, and Livy⁶ emerge as Triumviral, and in their later works could be thought of as “post-Triumviral.” If anyone is to qualify as Augustan through and through, it is Ovid, born in 43, whose writing starts in the 20s and extends into the early years of Tiberius. He is “Augustan” not merely in a chronological sense, but in a far more profound one, of the expression in some (not all) of his works of an overt literary commitment to the new regime (of true *personal* commitment we can never know, and

should not attempt to speak). The poetry of exile, this chapter suggests, expresses not the voice of the subversive dissident, but that of the outraged loyalist whom the regime has rejected and was never to accept back.

The earlier *Heroides* and the first version of the *Amores* apart, Ovid's major surviving works belong, in the form in which we have them, to the very mysterious and rather neglected last two decades of Augustus' life: the *Ars Amatoria*, the *Fasti*, the *Metamorphoses*, the *Tristia*, and *Epistulae ex Ponto* 1–3, with *Epistulae* 4 stretching from a year before Augustus' death to two years after it. All of them manifest an intense concern to incorporate appropriate reflections of the major monuments and successes of the regime, in a laborious and explicit way which had not been characteristic of the poets of half a generation earlier. As Jasper Griffin has brilliantly demonstrated, these writers found ways of honouring the new regime, while delicately distancing themselves from it.⁷ By contrast, Ovid's works have to negotiate the insuperable task of incorporating appropriate allusions to Augustus, while also giving due recognition to his associates and successors, potential or actual.

These considerations might allow us, as a way of relocating Ovid, and thus re-evaluating how we should read him, not only to separate him from the earlier, less than truly "Augustan" writers, but to re-attach him to others, whose adult lives or whose works also bridge the divide between Augustus' regime and what one might think of as the "post-Augustan" phase of Tiberius' reign, that is, the years dominated by Livia, up to her death in A.D. 29. This period of approximately three decades, from the dedication of the temple of Mars Ultor in 2 B.C. to the death of Livia, and the disgrace of the widow and children of Germanicus, is marked by the most emphatic public assertions of "Augustan" values and historical claims, along with their proclamation as lessons for future generations, and simultaneously by systematic uncertainty and unease about the role of other members of the imperial house—and (given the deaths of many of them) by the repeated necessity to reflect on what might have been. The combination of triumphalism and anxiety is perfectly caught by Velleius Paterculus, coming towards the end of the *History* which he dedicated to M. Vinicius, *consul ordinarius* of A.D. 30; for he emphasises the unhappy coincidence, in 2 B.C., of the dedication of the temple of Mars Ultor with the disgrace of the elder Julia:⁸

At in urbe eo ipso anno, quo magnificentissimis gladiatorii muneris

naumachiaeque spectaculis Divus Augustus, abhinc annos triginta, se et Gallo Caninio consulibus, dedicato Martis templo animos oculosque populi Romani repleverat, foeda dicta memoriaque horrenda in ipsius domo tempestas erupit.

But in the City, in the year, thirty years ago, in which Divus Augustus, in his own and Gallus Caninius' consulship, marked by the most magnificent shows of gladiatorial games and a sea battle the dedication of the temple of Mars, and sated the minds and eyes of the Roman people, a storm, foul to speak of and horrible to recall, broke out under his own roof.

Velleius Paterculus himself offers the most illuminating comparison to Ovid, and one of the chief purposes of this chapter will be precisely to suggest the significance of this thirty-year period as embracing them both. In Latin epigraphy likewise, this "late-Augustan" and "post-Augustan" period might also be seen as representing a distinct phase, marked by the production of long and complex inscribed texts, which can be seen not merely as counterpoints to the literature of the period, but as a sub-branch of literature in themselves. They too exhibit that same curious *mélange* of triumphalism, anxiety, and unfulfilled hopes. The reign of Augustus itself, of course, is reflected in an explosion of epigraphic commemoration, as Géza Alföldy has recently demonstrated.⁹

This particular phase would thus begin with the dedication in 2 B.C. of the temple of Mars Ultor, along with the surrounding Forum Augustum, adorned with statues of the generals (*duces*) who had made the Roman people great from small beginnings. The surviving inscribed *elogia* ("eulogies") which accompanied the statues simply do not match what Livy had already written about the achievements of these same *duces*, a point which underlines how far Livy was from offering the canonical "Augustan" text. For Suetonius records that Augustus informed the people in an edict how they were to read these statues and their inscriptions: they were to serve as a model, by which appropriate conduct should be demanded of himself while he lived, and of the *principes* of succeeding ages.¹⁰

The formation of an ideology of the proper role of *principes* is reflected in other inscriptions of the following years. First there is the Greek inscription from Messene giving an exaggerated view of Gaius' achievements in the East ("learning that Gaius Caesar, the son of Augustus, was fighting the barbarians for the safety of all mankind").¹¹ Then come the two long inscriptions from Pisa

expressing the mourning of the colony for Lucius (A.D. 2) and Gaius (A.D. 4).¹² The sense of a future which was not now to come about is particularly clear in the latter case: *crudelibus fatis ereptum populo Romano, iam designatu[m i]ustissimum ac simillimum parentis sui virtutibus principem* (by the cruel fates snatched from the Roman people, already designated, as the most just, and most similar to his parent's virtues, *princeps*). We know, of course, of one aspect of the elaborate forms of commemoration devised in Rome itself for Gaius and Lucius, namely the addition to the centuriate assembly of ten new centuries named after them; the measure was embodied in the Lex Valeria Cornelia passed by the ordinary consuls of A.D. 5, L. Valerius Messalla Volesus and Cn. Cornelius Cinna Magnus. It is no more than an accident that we have no text of this law itself and can perceive it only through the Tabula Hebana of Tiberius' reign.¹³

That sense of a future which could not now come about is of course felt also in the most famous inscribed document of the period, the *Res Gestae* of Augustus (chap. 14): "filios meos, quos iuve[n]es m[i]hi eripuit fortuna" (my sons, whom fortune snatched from me in their youth). But the two texts share more than that, for the *Res Gestae* itself is simultaneously both "Augustan" and "Tiberian." As a *text*, it is a composition of the Emperor's last years, culminating in the award of the designation "Pater Patriae" (father of his country) in 2 B.C. and completed in A.D. 13 (chap. 35).¹⁴ But as an *inscription* it is Tiberian, put up after Augustus' death (we do not know exactly when), at the entrance to the Mausoleum, and then copied—again we do not know exactly when—in provincial towns. All the copies which we happen to have come from Asia Minor. It remains uncertain whether local copying was specifically enjoined, as we now know was the case for the text of the measures passed in Rome to commemorate Germanicus. But those latter measures, revealed by the Tabula Siarensis, also show that it was not an idle guess on the part of Zvi Yavetz to suggest that a text of this period celebrating the virtues and achievements of a deceased member of the imperial household might have been specifically designed for the edification of the "youth" (*iuventus*) of the next and future generations. For Tiberius formally stated to the Senate in December A.D. 19 that his testimony (*testimonium*) to Germanicus' services would be "utile iuventuti liberorum posterorumque nostrorum" (useful for the youth of our children and descendants).¹⁵ But the combined text of the Tabula Siarensis and the longer-known Tabula Hebana, conveniently overlapping to produce 176 lines of official Tiberian prose, is also simultaneously "Augustan" and

“Tiberian.” For, as mentioned earlier, it rehearses the legislation put through in A.D. 5 by the two ordinary consuls, adding ten new centuries to the centuriate assembly, and uses that as the model for the addition of five further centuries in memory of Germanicus. If a law had been required for that previous enactment, so it would be for these measures. So the *Tabula Siarensis* records that the Senate advised the incoming consuls of A.D. 20 to have its votes incorporated as soon as possible in a law passed by the people: “Utique M. Messalla, M. Aurelius Cotta Maximus, cos. designati, cum magistratum inissent, primo quoque tempore cum per auspicia liceret, sine binum trinumve nundinum prodictione, legem ad populum de honoribus Germanici Caesaris ferendam curent” (and that M. Messalla and M. Aurelius Cotta Maximus, consuls designate, when they enter their magistracy, at the first moment permitted by the auspices, without a declaration of notice of a double or triple nine-day period, should see to the taking to the people of a law about the honours of Germanicus Caesar).¹⁶ The full name of the first of the consuls was “M. Valerius Messalla Messallinus,” and of his colleague, “M. Aurelius Cotta Maximus Messallinus”; they were respectively (as it seems) the grandson and the son (by a different wife) of M. Messalla Corvinus, the consul of 31 B.C. All three names bring us close to the life and works of Ovid. One of the consuls of A.D. 5 had been another Messalla, apparently not related.¹⁷ The public adulation and exaltation of the imperial house was in no small measure the work of long-established republican families—as well as of their associates, like Ovidius Naso.

The *Tabula Siarensis* also takes us back to the public celebration of Augustus, and almost certainly to the year after his death. For it records that the arch (“ianus”) which was to be erected in the Circus Flaminius was to go on the spot where statues had already been dedicated to Divus Augustus and the *Domus Augusta* by Gaius Norbanus Flaccus. The occasion is very likely to have been Flaccus’ consulate as *ordinarius* in A.D. 15. If so, the combination of attention to the recently deified Augustus and to the wider imperial house finds a close reflection both in Ovid’s poetry and in another key inscription of the same period.¹⁸

The dossier of major inscriptions of this very distinctive period is now augmented by the extremely important text, also from Baetica, recording the proceedings of the Senate after the suicide of Cn. Calpurnius Piso in A.D. 20.¹⁹ But that remarkable reflection of the

same combination of adulatory triumphalism on the one hand and of fear, uncertainty, and (now) unfulfillable hopes on the other is also matched in two other literary works of the period, which need to be mentioned briefly before we turn to the later works of Ovid.

The first is the *Facta et Dicta Memorabilia* (Memorable deeds and sayings) of Valerius Maximus, a work which is only now beginning to be accorded the prominence which it deserves.²⁰ For it is a perfect reflection, composed under Tiberius, of the moralising deployment of *exempla* from the Roman past in Augustan historiography. The opening address to Tiberius sets the tone:

Te igitur huic coepto, penes quem hominum deorumque consensus maris ac terrae regimen esse voluit, certissima salus patriae, Caesar, invoco, cuius caelesti providentia virtutes, de quibus dicturus sum, foveantur, vitia severissime vindicantur.

You therefore do I invoke in this undertaking, Caesar, in whose power the common will of gods and mankind wished the government of sea and earth to be, by whose celestial providence the virtues, of which I am about to speak, are fostered, and vices are most severely punished.

But here too, as is well known, a powerful note of anxiety and of danger narrowly averted, makes itself felt. For in 9, 11, *ext.* 4, Valerius launches into an invective against someone who had conspired against the current emperor.

Tu videlicet efferatae barbariae immanitate truculentior habenas Romani imperii, quas princeps parensque noster salutari dextera continet, capere potuisti? . . . sed vigilarunt oculi deorum . . . et in primis auctor ac tutela nostrae incolumitatis ne excellentissima merita sua totius orbis ruina conlaberentur divino consilio providit.

Could you indeed, a being more savage than the monstrosity of wild barbarity, have taken over the reins of the Roman empire, which our princeps and parent holds in his salutary right hand? But the eyes of the gods were vigilant . . . and above all the author and guardian of our security took provision by his divine counsel to prevent his most excellent services from collapsing in the ruin of the whole globe.

Generally taken to refer to Sejanus, and hence to date the work after A.D. 31, this invective may well, as Jane Bellemore has suggested, refer to the conspiracy of Libo Drusus in A.D. 16.²¹ If so, then the whole text may date to the earlier years of Tiberius; we might therefore all the more easily see it too as a work which was, both in inspiration and in actual date, “post-Augustan.” Precisely because it is

intended to represent conventional wisdom, its importance for the ideology of the period can hardly be exaggerated.

One limiting factor in any attempt to locate the *Dicta et Facta* within the formulation of early imperial ideology is the fact that its author hardly reveals anything of himself, whether as regards geographical origin, social standing, or life-history. Precisely the opposite is true of the writer who, in part for that very reason, offers by far the most revealing comparison to Ovid (and indeed to Valerius Maximus), namely Velleius Paterculus. His work, dedicated as we saw to the consul of A.D. 30, M. Vinicius, also gains its importance precisely from its deliberate conventionality, from its attempt both to retell the main events of Roman history and to give due emphasis to its salient features.

But in this case there is an extra dimension, in that he gives sufficient prominence to his ancestors and his own career, to reveal himself as the perfect example of what Syme saw as a fundamental feature of “the Roman revolution”: the long-delayed absorption of Rome by “the whole of Italy” (*tota Italia*), or in other terms, the large-scale entry of “the local nobility” (*domi nobiles*) of Italy into the equestrian order and the Senate itself.²² Velleius ought to have been the hero, or anti-hero, of *The Roman Revolution*, as the local dignitary who entered the Senate in the last part of Augustus’ reign, after equestrian military service; and then, in writing his *History*, did his best to direct adulation appropriately to both successive emperors, sometimes with unintentionally comic effects.²³ Looking in another direction, we could see Velleius as the successful counterpart to Ovid, his older contemporary—that is, as the Italian local dignitary who followed the career which Ovid rejected, reached the Senate, wrote what at the relevant moment (just before the fall of Sejanus) seemed to be required by the regime, and left descendants who rose to the consulship. To suggest the significance of the family and the man, only the barest details need be given here.²⁴

A remote ancestor on the maternal side had been Decius Magius, a pro-Roman Capuan who played a part in the Second Punic War; by the early first century B.C. the family was settled in Aeclanum, and Velleius’ great-great-great(?) grandfather, Minatius Magius, fought on the Roman side in the Social War; his two sons became praetors in Rome; a later member of the family, a contemporary of Velleius, will be the Marcus Magius Maximus from Aeclanum who was praefectus Aegypti in the period A.D. 11–14. On the paternal side, the

grandfather, Gaius Velleius, was a *praefectus fabrum* (prefect of engineers) and juror (*iudex*) in the late Republic; of his sons, one was a senator (and an assistant prosecutor in the prosecution of Cassius), while Velleius' father remained an equestrian, and was *praefectus equitum*, apparently in Germania. If we follow the recent discussion by Ségolène Demougin, the father will have been born in the 50s B.C.; hence it makes sense that Velleius himself began his military career as a military tribune under P. Vinicius and L. Silius in Thrace and Macedonia about 2 B.C. (he may thus have been some fifteen years younger than Ovid). Then, after further service, still as military tribune, with Gaius Caesar in the East, he served as *praefectus equitum* with Tiberius in Germany. In A.D. 7 he entered the Senate as quaestor, evidently at a later age than the norm of twenty-five. In A.D. 14, as his own testimony shows, he was, along with his brother, Magius Celer Velleianus, the emperor's candidate (*candidatus Caesaris*) for the praetorship of A.D. 15, "commended" both by Augustus before his death and then by Tiberius (2, 124, 3–4). Just before this (124, 2), Velleius had recorded the long reluctance of Tiberius to take up the position of emperor: "solique huic contigit paene diutius recusare principatum, quam ut occuparent eum, alii armis pugnaverant" (to him alone it befell to refuse the principate almost longer than others have fought with arms to seize it). There is thus no earlier witness to this reluctance—except Ovid.

Velleius' ancestry and career would of themselves give him a significant place in Roman history, even if he had not gone on to write his patriotic and value-laden account of it. Its structure and emphases would deserve much fuller analysis, especially if taken seriously as the perfect expression of "post-Augustan" ideology. But in this context it will be enough to stress the paucity of the account of Gaius and Lucius, compared with the importance given to the return and adoption of Tiberius (2, 102–4); the low profile of Germanicus, and the unmistakable, if muted, unfavourable comparison between him and Drusus, the son of Tiberius (2, 125, 4); the elaborate justification of the prominent role of Sejanus, in spite of his relatively modest origins and equestrian rank (2, 127–28); and the rhetorical evocation of the pain caused to Tiberius by Agrippina, the widow of Germanicus, and her son Nero (2, 130): "Quam diu abstruso, quod miserrimum est, pectus eius flagravat incendio, quod ex nuru, quod ex nepote dolere, indignari, erubescere coactus est!" (How long did his heart burn with an inflammation, more wretched for being concealed, because of the grief, the indignation, and the shame he was forced to suffer through

his daughter-in-law and his grandson!). In keeping with the tone of combined triumphalism and anxiety which marks the literature of this period, the work ends with a prayer to Iuppiter Capitolinus, Mars Gradivus, and Vesta to preserve Tiberius as long as possible—and then grant him capable successors: “*destinate successores quam serissimos, sed eos quorum cervices tam fortiter sustinendo terrarum orbis imperio sufficient, quam huius suffecisse sensimus, consiliaque omnium civium aut pia [fovete aut impia opprimate?]*” (mark out successors as far as possible in the future, but ones whose shoulders are broad enough to bear the government of the world as bravely as we have seen his do, and whatever the plans of all citizens, if pious [promote them, if impious suppress them?]).

Ovid in Rome

There were of course at least three profound differences between Velleius and another local dignitary of the Augustan period, Ovidius Naso from Sulmo. Firstly, Ovid though he began a career as a senator, did not pursue it; secondly, his very prominent position in Rome ended suddenly in disgrace and exile, from which (so far as we know) he was never to be recalled; and, thirdly, he was a writer of genius, capable of the highest achievements in a succession of different poetic genres.

But the undeniable fact of his literary genius, combined with his eventual fall and exile, should not tempt us to see him as always having been, in social and political terms, at some distance from the regime, as having preserved a real spiritual and artistic independence, or as having been in some sense a rebel whose non-compliance was ultimately punished. This chapter suggests that the truth is otherwise: that Ovid should be clearly contrasted with the great “post-Triumviral” writers of the earlier part of Augustus’ reign; and that he belongs not with them but, in social origin, in attachment to a strongly loyalist senatorial family, and in the overt “Augustanism,” found in some of his later works, with the “post-Augustan” Velleius. Far from being expressions of spiritual resistance, the poems of exile should be read as the protests of a rejected loyalist, whose rightful place, in Rome and in relation with leading senatorial families, has wrongly been denied him. The poetry both of the decade before his exile in A.D. 8, and of the decade after it, incorporates “Augustan” features, in a way in which the works of the “post-Triumviral” writers do not.

This is, of course, no place to rehearse all that is known of Ovid's origins, career, and earlier works.²⁵ But it is important to stress how prominent an example he is of the local dignitary who might have ascended to the heart of the senatorial order in Rome. As we all know, an inscription of the Augustan period reveals that the first ever Roman senator to come from the territory of the Paeligni was Q. Varius Geminus from Superaequum Paelignorum:²⁶ "is primus omnium Paelign(orum) senator factus est et eos honores gessit" (he was the first of the Paeligni to become senator and held these offices). The earliest of the offices listed in his career (*cursus*) will have been the pre-senatorial post in the vigintivirate, *decemvir stlitibus iudicandis* (one of a board of ten men for judging law-suits), and he went on to be praetor, and a praetorian legate and proconsul. That no earlier Paelignian had risen so far lends much greater significance to the fact that Ovid (and his brother) might have done so. Like Velleius, Ovid lays repeated emphasis on his place of origin (*patria*), Sulmo, and on the (equestrian) rank which he inherited (e.g., *Tr.* 4, 10, 3–8), though in fact no *Roman* rank can have gone back more than two generations (at the most) of the family; for Sulmo, as Ovid himself recalls, had been non-Roman and on the allied side in the Social War (*Amores* 3, 15, 5–10). In the 20s B.C., Ovid was in Rome and, like his brother, assumed the wide stripe on the toga (*latus clavus*), a sign that he was intending to enter the Senate. It seems to have been after his brother had died in 24 B.C. that Ovid held the post of *tresvir* (one of the "three men" in charge either of capital cases, *capitales*, or of the mint, *monetales*) in the vigintivirate (the board of twenty), and was preparing for a senatorial career—only then to reject it in favour of poetry (*Tr.* 4, 10, 27–40).

The conclusion is inescapable that Ovid belonged to one of the most prominent families of the whole Paelignian region. That he rejected a senatorial career was a personal choice; he remained a member of the equestrian order, later regretfully recalling from Tomoi how he had ridden in the annual parade (*transvectio*) on July 15 (*Tr.* 2, 89–90): "at, memini, vitamque meam moresque probabas / illo, quem dederas, praetereuntis equo" (But, I recall, you used to approve my life and morals, when I rode past on the horse you had granted me).

He also enjoyed the personal friendship and encouragement of one of the most prominent of all Augustan senators, M. Valerius Messalla Corvinus, who had shared the consulship with Imperator Caesar Divi filius in the year of Actium. True social equality there surely was not;

but at the same time we should avoid at all costs importing into our conceptions of how Latin literature was written the wholly irrelevant categories of “patronus” and “cliens.”²⁷ As countless examples show, comfortably-off persons of equestrian origin, whether from Rome itself, like Atticus, or from a *municipium*, like Cicero, belonged, in social, economic, and cultural terms, to the same broad band of educated landowners as did senators, even those who were *nobiles*. In the crucial year 2 B.C., which it is suggested should be seen as beginning the “late-Augustan” phase of Latin literature, it was Messalla Corvinus who proposed in the Senate that Augustus should receive the appellation “Pater Patriae.”²⁸ But it is Augustus himself who records that it was not only the Senate and the Roman people who awarded this honour, but also the equestrian order, acting as a corporate body (*RG* 35). If this piece of loyalism involved some form of vote or resolution, it is the only such act attested on the part of the order, and must thus have been of great significance. In the *Fasti* Ovid does not fail to note this also, carefully using the first-person plural to signal his own participation (*Fasti* 2, 127–28): “Sancte pater patriae, tibi plebs, tibi curia nomen / hoc dedit, dedimus nos tibi nomen, eques” (Reverend father of the fatherland, the plebs, the senate and we, the equites, gave you this name)—and goes on to a laborious comparison of Augustus first to Iuppiter and then to Romulus, in which the latter clearly comes off worse (129–144).

These same years witnessed the emergence of Ovid as a poet in whose works emphatic, unambiguous, and highly developed expressions of loyalty to the regime would play (at least) a very marked part. It would be absurd to claim that other currents, or ambivalences of attitude, can nowhere be found in Ovid’s poetry of this period; critical ingenuity can in any case discover these in any text. What is claimed as significant here is simply that Ovid’s writing of this period is marked by deliberate, highly developed, and overt expressions of loyalism. For instance, in the revision of the *Ars Amatoria*, which seems to belong in 1 B.C.,²⁹ Ovid inserted, as Glen Bowersock has shown, a reference to the sea battle of “Athenians and Persians,” which Augustus put on in 2 B.C. in the newly created *naumachia* (an artificial lake for giving waterborne displays); and he went on to expound its connection with Gaius’ mission to the East to confront the Parthians (*AA* 1, 171ff.).³⁰ Ovid does not forget (202–3) to bring in both Mars and the prospective deification of Augustus: “Marsque pater Caesarque pater, date numen eunti: / nam deus e vobis alter est, alter eris” (Father Mars and Father Caesar, send him

off with your blessing: for of the two of you, one is a god, and one will be). This long passage gains all the more significance from being so evidently a deliberate insertion in the new edition.

The newly dedicated temple of Mars Ultor and the surrounding Forum Augustum were, of course, to receive their fullest literary exposition in the *Fasti* (5, 550–78), of which six books were completed before Ovid's exile, to be partially revised during it. Little more need be said of this work here, except to note Syme's dating of the first version to A.D. 1–4;³¹ for its status as the most systematic attempt at writing poetry which was not only "Augustan," but which placed the new regime laboriously in the framework of inherited cults and of newly revived antiquarian learning, needs no emphasis. To say this is not to deny that no tensions or ambivalences in the treatment of Augustus and his regime are present in the text.³² It is to assert that in its overall, overt programme and structure it represents a new phase in "Augustan" literature. If we are to understand the revolution of consciousness brought about by the emergence of a monarch from within the traditional *res publica*, it is here, and not with the great writers of a generation, or half-generation, earlier, that we should begin.

As an "Augustan" work, the *Fasti* involved both the evocation of an inherited (or reinvented) set of rituals, and a due emphasis on novelty, that is, the role of Augustus, of the members of his household, and of his actual *domus* (in the literal sense of a "house") on the Palatine (e.g., 4, 943–54). But, while never achieving the intended twelve books (*Tr.* 2, 549–50), the work was none the less revised in exile, then acquiring (among other things) a dedication to Germanicus. Like other works of the period, it thus finishes up by exhibiting a systematic uncertainty as to what, or who, the proper focus of loyalty should be. That object was in any case a moving target, repeatedly transformed by death, and by reversals of fortune among members of the *domus Augusta* (in the sense of "household"). Some aspects of the *Fasti* as we have it will even reflect revisions made after Augustus' own death.³³

If the *Fasti* sets out systematically to place Augustus within the framework of inherited tradition, the same is also true of Ovid's greatest work, the *Metamorphoses*. Looking back in *Tristia* 2 on his poetic achievement before his exile, Ovid, if anything, rather understated just how profoundly shaped by Augustan loyalism this work had been (555–62):

Dictaque sunt nobis, quamvis manus ultima coeptis
defuit, in facies corpora versa novas.
atque utinam revoces animum paulisper ab ira,
et vacuo iubeas hinc tibi pauca legi,
pauca, quibus prima surgens ab origine mundi
in tua deduxi tempora, Caesar, opus:
aspicies, quantum dederis mihi pectoris ipse,
quoque favore animi teque tuosque canam.

We sang too, though the final touch was missing from the undertaking, / of bodies transformed into new appearances. / If only you put your anger briefly from your mind, / and in an idle moment have a few lines from this work read to you: / a few, in which starting from the first origin of the world / I spun out a work down to your time, Caesar. / Then you will see how much heart you put into me, / and with what wholehearted support I sing of you and yours.

As Denis Feeney has recently shown, it is not merely that Ovid's brilliant retelling of myths of transformation does in fact culminate in the deification of Julius Caesar and the prospective deification of Augustus. It is that the entire work is framed by the very recent Roman institution of the legal transformation of humans into deities.³⁴ Thus book 1 introduces the extremely bold reversal of representing Iuppiter as summoning all the gods to conclave in a context which is explicitly compared to the Palatine (1, 170–6): “hic locus est, quem si verbis audacia detur, / haud timeam magni dixisse Palatia caeli” (this is the place which, if my words be allowed some boldness, I should not fear to call the Palatine of the great heaven). Soon after comes a crucial reference to the murder of Caesar, and the continuing *pietas* (piety) shown to Augustus by his people, as by the other gods to Iuppiter (199–205). But even that hardly prepares the reader for the culmination in books 13–15, in which Aeneas is to play the central role, with diversionary sub-plots, before the emphasis shifts to Romulus, and then Numa (with further sub-plots); then to the importation of the cult of Aesculapius—and finally, by another daring conceit, to the deification of Caesar. Caesar, unlike Aesculapius, was a native of Rome; but, more than that, it was not so much his own deeds which had won him divinity, but his progeny (*progenies*) (15, 745–51): “neque enim de Caesaris actis / ullum maius opus, quam quod pater exstitit huius” (nor is there among Caesar's acts any greater achievement than that he proved father of this man). The claim that

what had been involved was natural, biological succession is now re-emphasised again. Were any of Caesar's triumphs greater than that of having fathered so great a man: "quam tantum genuisse virum"? (752–58). Not only the Triumvirs, but the Roman people, who passed the law of 42 B.C., and with them the natural father of Augustus, have all vanished, to leave Augustus both as the real son of Caesar, and the sole author of his divine status. The passage moves to the most vivid of all literary evocations of Caesar's murder, and then turns, in a prophecy uttered by Juppiter, to Augustus. But the prophecy also looks forward to the prospective accession of Tiberius, and finally focuses on to Divus Iulius and his temple (15, 832–42):

Pace data terris animum ad civilia vertet
iura suum legesque feret iustissimus auctor
exemploque suo mores reget inque futuri
temporis aetatem venturorumque nepotum
prospiciens prolem sancta de coniuge natam
ferre simul nomenque suum curasque iubebit,
nec nisi cum senior Pylios aequaverit annos,
aetherias sedes cognataque sidera tanget.
hanc animam interea caeso de corpore raptam
fac iubar, ut semper Capitolia nostra forumque
divus ab excelso prospectet Iulius aede.

Peace once brought to the earth, he will turn his mind / to civil justice, and, most just of law-makers, will carry laws, / and by his own example will control morals; and looking ahead to future / ages and coming generations / will order offspring born of a saintly wife / to bear both his name and his cares; / nor, till in old age he has matched the years of Nestor, / will he touch the ethereal seat and the stars that share his blood. / Meantime, make this soul snatched from the murdered body / into a star, so that for ever our Capitol and forum / Divus Iulius may look forth from his lofty temple.

If, as has been claimed, Julius Caesar had indeed not been given a very prominent place in earlier Augustan literature, that is not so in Ovid. Equally, inattention to his memory cannot have reflected popular perceptions. For since 29 B.C. the new temple of Divus Iulius had occupied one pole of the central axis of the Forum.³⁵ But Ovid's exploitation of the symbolic landscape of Rome is not yet complete. In his final prayer he evokes, as he does in the *Fasti* (4, 949–54), the

cohabitation of Vesta, Apollo, and Augustus himself on the Palatine, linking the three in a single complex line of great conceptual boldness —“et cum Caesarea tu, Phoebe domestice, Vesta” (and you, domestic Phoebus, together with Caesarian Vesta, 865)—and looks forward once again to the prospective deification of Augustus (861–70).

In the last part of the *Metamorphoses* the delicacy, restraint, and indirectness which Virgil had deployed in linking the Julian house to the legendary origins of Rome has vanished, to be replaced, as in the *Fasti*, by an overt loyalism, as well as by a creative use of the now “Julian” topography of the centre of Rome. What remained for the poems of exile was an intensification of these elements, a repeated evocation of changes of power, both those which might happen and those which already had; and something new, in the *Epistulae ex Ponto* at least: a representation of the relationship of Augustus, and then of Tiberius, to the successive holders of the consulate, to the Senate, and to the Roman people.

Ovid in Tomoi

As to how Ovid came to be exiled, this chapter has no suggestion to offer to add to the scores already canvassed. It is important instead to stress his high social position, as an equestrian who might have chosen a senatorial career, and who had personal connections to the family of Messalla Corvinus. Messalla had died in A.D. 8, and Ovid had written the eulogy (*elogium*) delivered at his funeral (*Ex P.* 1, 7, 29), just as he had composed the wedding hymn (*epithalamium*) for the marriage of Fabius Maximus, consul of 11 B.C. (1, 2, 133). The notions of “patronus” and “cliens” give a quite distorted impression of such relationships, and of the social standing of a local dignitary and Roman equestrian like Ovidius Naso. Such a person, whether he wrote poetry or not, was a member of the political class, a man (necessarily) of independent wealth, and of high, but not the highest, rank.

It will have been of real practical importance that Ovid, though ordered to live in Tomoi, had been, as he explicitly says, merely exiled (*relegatus*), and had not been subject to condemnation. Whatever stage the developing rules about the confiscation of the property of the condemned had reached by A.D. 8, Ovid will have kept his property and income.³⁶

Beyond that, as to the real circumstances which attended him in exile, and the real extent of actual communications between him and Rome, we have no “evidence” external to the *Tristia* and *Epistulae ex*

Ponto themselves. What we have instead is the poetic evocation of a personal disaster, and equally a series of poetic evocations of appeals made to persons in Rome in the hope of getting his exile ended—along with representations of public events, of public ceremonials, of the assumption of office by consuls, and of personal relationships at the centre of power, in Rome itself. A real “history” of relations and communications between Ovid and persons in Rome cannot be written. We may suppose, for instance, that the poems of the years A.D. 8 to 16 were indeed actually carried to Rome, though by whom we do not know; and were read there, though again we do not know by whom. But all that the poems present, as regards such communications is, for instance, an *anticipatory* portrayal of the journey of his “book” (*liber*) to Rome and its reception there (*Tr.* 1, 1); or a poem written in the person of the book itself as it records its (prospective) tour of the Forum, the Palatine, and the nearest part of the Campus Martius (*Tr.* 3, 1). We cannot even be sure that poems which represent themselves as directed to well-placed intermediaries to intercede with the ultimate holder of power were in reality delivered to those persons.

At the same time, the poems are, without qualification, evidence for the transmission of news from Rome to the outer fringes of the Empire. Ovid may mislead his readers into forgetting that Tomoi, far from being “Getic,” was a long-established Greek city, which will have had much the same diplomatic relations to governors and emperors as any other; and equally his continued personal contacts with Roman society, presumably transmitted by letters carried by messengers, may have kept him more precisely up-to-date than might have been expected of someone living on the shore of the Black Sea. In that sense he provides simultaneously both an “insider’s” and a provincial “outsider’s” view, or representation, of the march of events in Rome. But information about those events does reach him: about triumphs, about who will hold the consulship, about the death and deification of Augustus. In some ways his poetic recreations of these distant events, happening in an urban context which is intensely familiar, are actually more important for the historian than mere eyewitness accounts. For, firstly, they are the work of an extremely well placed loyalist (or author of loyalist expressions), whose writing from after his exile shows profound continuities, in general and in detail, with that from the years before it. And, secondly, by being compelled to re-imagine what was occurring in Rome he confers on it a generic significance which a mere report might lack.

The poems “addressed” to named persons are very important for historians, not because they actually “are” petitions for intercession (we do not know whether they were or not), but because they are remarkably vivid representations of the central role which the arrival of monarchic power had conferred on petitioning; and because, more precisely, they are testimony to the already established significance of what Richard Saller has called “brokerage”: the custom of directing appeals and requests to well-placed intermediaries, who—it was to be hoped—would intercede with the real holders of power.³⁷ Precisely because of the importance of brokerage in their structure, the poems in *Ex Ponto* in particular go beyond the representation of the imperial house and the structure of power within it, to speak of leading senators and their imagined relationship to the regime. Ovid’s evidence is thus of immense complexity and significance, all the more important for reflecting a period at the end of Augustus’ reign and the beginning of Tiberius’ which is relatively little known.

As is obvious, the representation of public scenes and political relations in Rome is only one aspect of the poetry of exile;³⁸ and even as regards this aspect I pick out here merely a few examples of three overlapping themes: emperor and public in Rome, consuls and the emperor, and the changing structure of the imperial house.

Emperor and Roman People

I begin with an event which never occurred, the triumph over Germany which Ovid was expecting in A.D. 10.³⁹ As indicated earlier, events and interconnections which had literally to be imagined, and presented in poetic form, could be thought of as even more significant than those, described at second hand on the basis of actual reports, which had in reality already occurred, like the triumph of A.D. 12 to which we come next.

Writing the poem in question (*Tr.* IV, 2), Ovid explicitly represents himself, the exiled outcast, as speculating about whether a victory had already been achieved, or perhaps even a triumph already held; but though Tiberius and Germanicus did campaign in Germany in A.D. 10 and 11, and imperial salutations were gained for Augustus and Tiberius, no great victory was achieved, and no triumph was held. Ovid could still imagine what it would be like, or would have been, to be there (1–26):

Iam fera Caesaribus Germania, totus ut orbis,
victa potest flexo succubuisse genu.

altaque velentur fortasse Palatia sertis,
turaque in igne sonent inficiantque diem,
candidaque adducta collum percussa securi
victima purpureo sanguine pulset humum,
donaque amicorum templis promissa deorum
reddere victores Caesar uterque parent.
et qui Caesareo iuvenes sub nomine crescunt,
perpetuo terras ut domus illa regat,
cumque bonis nuribus pro sospite Livia nato
munera det meritis, saepe datura, deis,
et pariter matres et quae sine crimine castos
perpetua servant virginitate focos;
plebs pia cumque pia laetetur plebe senatus,
parvaeque cuius eram pars ego nuper eques:
nos procul expulsos communia gaudia fallunt,
famaque tam longe non nisi parva venit.
ergo omnis populus poterit spectare triumphos,
cumque ducum titulis oppida capta leget.
vinclaque captiva reges cervice gerentes
ante coronatos ire videbit equos.
et cernit vultus aliis pro tempore versos,
terribiles aliis inmemoresque sui.
quorum pars causas et res et nomina quaeret,
pars referet, quamvis noverit illa parum.

(1) Already before the Caesars wild Germany, like the whole world, /
may have fallen in defeat on bended knee. / Maybe the high Palatine
is veiled in garlands, / and incense crackles in the fire and dyes the
day, / and the white victim smitten in the neck by the lifted axe /
throbs purple blood to the ground, / and the gifts they had promised
to the temples of the friendly gods / the victors, each a Caesar, may be
making ready to present; / together with the young men who grow
under the name of Caesar, / to ensure the household rules the earth
for ever./

(2) Livia too with her good daughters in-law may be making for her
son's safety / the offerings she will always make to the well-deserving
gods; / likewise the matrons and the chaste ones / who preserve the

sacred hearths with their perpetual virginity, / and the loyal plebs, and with the loyal plebs the Senate / and the knights of whom I was once a small part. / This common joy passes me by in distant isolation, / and none but slight news penetrates so far. / So then all the people will have managed to watch the triumphs, / and will read on placards the names of leaders and cities captured. /

(3) They will see kings with chains about their captive necks / walking before the garlanded horses. / Here they will see the expressions fittingly downcast. / There fearsome scowls of men beside themselves. / One viewer will ask for names and stories and explanations; / the next will give them, little though they know.

Ovid, who could not be there, devotes much of the poem, in the lines which follow (27–46), to an imagined interpretation of the scene given by one spectator to another; the technique is strikingly similar to Polybius' use of spectators' reactions as a way of giving meaning to the events in his *History*.⁴⁰ One figure which needed to be identified will have been a representation of the conquered Germania (43–44): “crinibus en etiam fertur Germania passis, / et ducis invicti sub pede maesta sedet” (Look—even Germany is borne along with her hair flying wild, / and sits sadly at the foot of the invincible leader). This evocation will naturally recall the images of conquered nations, above all Britannia herself, from the Sebasteion of Aphrodisias.⁴¹

If the crowd could not identify the symbolic figures carried in the procession, it was possible (as equally, in permanent form, at Aphrodisias) to read the names, and pass on the information to others. At the end of the poem (67–74) Ovid returns to the theme of his own absence from among the spectators; but earlier, in the passage quoted, he has also recalled once again his proper, if now lost, place as a member of a privileged order, one of the groups whose rejoicing gives meaning to the event (15–16).

In the context of a triumph, however, it must be striking that the only member of the imperial house who is actually named in this passage is Livia (11–14), identified as offering sacrifices, along with her unnamed daughters-in-law (Agrippina and Livilla), for the safety of her equally unnamed son (Tiberius); with equal emphasis, she is associated with mothers and the Vestal Virgins.⁴² The imperial family is seen expressly as a collectivity, and as located within traditional Roman society.

The prospect of change and a shift of power in the Augustan house is already implicit, even explicit. Augustus and Tiberius appear only as

“Caesar uterque” (both emperors), and far more emphasis is laid, in remarkably unambiguous language, on the prospective rule of the next generation, Germanicus and Drusus (9–10). In noting Ovid’s bold use of the verb *regere* (to rule as king), we should also recall that, like the entire scene (which never occurred), *domus illa* (that household) was a construct, made up, in default of other unfulfilled possibilities, by reluctant adoptions.

The other triumph which Ovid was to evoke was at least a real one, that celebrated by Tiberius over Illyricum, on October 23, A.D. 12.⁴³ In the first of two poems on this triumph (*Ex P.* 2, 1), he provides another evocation of the spectators watching the procession (21–48), and a prediction of a future triumph by Germanicus (49–63). But the following poem (2, 2) is the more concrete and, in various ways, the more significant. Firstly, it is addressed to M. Valerius Messalla Messallinus, consul of 3 B.C., and the elder son of Messalla Corvinus, with an allusion to his brother, M. Valerius Cotta Maximus. Like many poems in *Ex Ponto* it has the form of a request for intercession, or “brokerage,” which is to be based on close connection of the prospective intercessor with the emperor, and is to deploy the eloquence inherited from his famous father (41–52):

verbaque nostra favens Romana ad numina perfer,
non tibi Tarpeio culta Tonante minus,
mandatique mei legatus suscipe causam:
nulla meo quamvis nomine causa bona est.
iam prope depositus, certe iam frigidus aeger,
servatus per te, si modo servor, ero.
nunc tua pro lassis nitatur gratia rebus,
principis aeterni quam tibi praestat amor.
nunc tibi et eloquii nitor ille domesticus adsit,
quo poteras trepidis utilis esse reis.
vivit enim in vobis facundi lingua parentis,
et res heredem repperit illa suum.

As a favour take my words to the Roman powers / whom you worship
no less than the Thundered on the Tarpeian rock, / and as my
emissary take up my brief, / even though no plea in my name is good.
/ All but abandoned, ailing and chill indeed, / if I am saved, it will be
by you. / Now may my flagging fortunes rely on the influence you
enjoy, / thanks to the love for you of the eternal prince. / Now

summon up your family's brilliant eloquence, / which has made you useful to trembling defendants. / For in you lives on your father's gift of speech, / and has found in you a true heir.

The triumph itself is then suggested as an appropriate moment for the presentation of a request and once again stress is laid on the collective role of the imperial house (67–74):

tempus adest aptum precibus. valet ille videtque

quas fecit vires, Roma, valere tuas.

incolumis coniunx sua pulvinaria servat:

promovet Ausonium filius imperium;

praeterit ipse suos animo Germanicus annos;

nec vigor est Drusi nobilitate minor.

adde nurum neptemque pias natosque nepotum

ceteraque Augustae membra valere domus.

The time is right for prayers. He is flourishing, and sees / that your strength, Rome, that he built up himself, is flourishing too. / A wife in good health guards his couch; / his son pushes forward the western front. / Germanicus is older than his years in spirit; / the vigour of Drusus matches his nobility. / Add a pious daughter-in-law and granddaughter, and grandsons with sons, / and that all the members of the Augustan house are in good health.

Again Livia comes first, though here unnamed, followed by Tiberius, also unnamed; then Germanicus and Drusus, followed by Livilla and Agrippina (unnamed), and the “sons of his grandsons.” That is the sons of Germanicus—Nero, Drusus, and the just-born Gaius; and (perhaps) the infant son of Drusus, who was to die in A.D. 15.⁴⁴

Tiberius, the actual *triumphator*, continues to play a strikingly anonymous role, alluded to only in the “triumphant foot of Caesar” (Caesareum . . . pedem) of line 78. More prominence is given to the two sons of Messalla themselves, evidently taking part in the triumph, and to the traditional setting in the Forum—the temple of Castor and Pollux (to whom the two brothers are compared), and (as before) the temple of Divus Iulius (81–84):

quem pia vobiscum proles comitavit euntem,

digna parente suo nominibusque datis,

fratribus adsimiles, quos proxima templa tenentis

divus ab excelsa Iulius aede videt.

With him ride you and your pious progeny, / worthy of their father
and the names they bear, / like the twin brothers who occupy the
temple / next to the lofty one from which Divus Julius looks on.

The “triumph” poems are another reminder of the fact, only partially modified by the arrival of monarchy, that Rome was a traditional public stage on which the actors (now including the female members of the imperial house) played out their roles in public, in the open air, before an audience made up of the Roman people. Within that same context the holders of the traditional magistracies also played their roles; in the new context of monarchy, they could be assumed on the one hand to be in a position to influence the ruler, but they were known on the other to be subject to his patronage. The interplay of public ceremonial and private influence was well known to Ovid, who (once again) can evoke it in advance, without waiting for mere reports.

Consuls and the Emperor

So, if we turn to the second of the three themes picked out from the exile poetry, the occupation of the consulate, we find Ovid in A.D. 13 looking forward to the consulate as *ordinarius* which Sextus Pompeius is to hold throughout A.D. 14 (*Ex P.* 4, 4, 23–42). He imagines the crowd on January 1 filling Pompeius’ house to bursting; the procession to the Capitol and the sacrifice of oxen; the entry to the Senate house and the customary speech by the new consul; and then the return to his house, accompanied through the streets by the whole Senate. Here too, the public framework is profoundly traditional, and much of what is imagined could have taken place centuries before. But one element may be new. Was it already acknowledged, in formal public ceremonial, that the consulate was a gift from the emperor? What is certain is that the anticipated speech in the Senate by the new consul was to include expressions of thanks both to the gods and to the emperor (39): “*egeris et meritas superis cum Caesare grates*” (you will have offered due thanks to the gods along with Caesar). Were the thanks which he would give going to be offered for the peaceful and victorious state of the empire? Or, as later consuls would do, specifically to the emperor for the gift of the consulship itself?

In this poem that is left unspecified. But no such doubt remains when Ovid turns, in perhaps the latest poem in the collection, to imagine in advance (once again) the suffect consulship of C. Pomponius Graecinus, which would begin in July A.D. 16, and would

last to the end of the year; and then the coming consulate as *ordinarius* of his brother, C. Pomponius Flaccus, due to start on January 1, A.D. 17. Ovid must be writing towards the middle of A.D. 16 (*Ex P.* 4, 9). Once again, addressing Graecinus, Ovid imagines the public ceremonials and sacrifices of the first day, adding only (18) the role that he himself, as an equestrian (*eques*), would play there if he could: “consulis ante pedes ire iuberer eques” (I would be ordered to go as a knight before the feet of the consul). But in this case he also goes on to imagine the daily public functions of the consul, in the Forum or the Senate, or sacrificing on the Capitol—and perhaps then there might be a place for a prayer on behalf of Ovid (41–52):

mente tamen, quae sola loco non exulat, usus
praetextam fasces aspiciamque tuos.
haec modo te populo reddentem iura videbit,
et se decretis finget adesse tuis;
nunc longi reditus hastae supponere lustris
credet, et exacta cuncta locare fide:
nunc facere in medio facundum verba senatu.
publica quaerentem quid petat utilitas;
nunc pro Caesaribus superis decernere grates,
albave opimorum colla ferire boam.
atque utinam, cum iam fueris potiora precatus,
ut mihi placetur principis ira roges!

In my mind, which alone is not in exile, / I shall see your robes and fasces. / It will see you one moment giving justice to the people, / and imagine itself to witness your decrees. / Next it will believe you to be putting to auction the revenues of a long cycle, / and to be contracting out everything with impeccable honesty; / next to be delivering an eloquent address in the Senate / enquiring what the public interest requires; / next to be decreeing thanks to the gods for the Caesars, / and to be smiting the white necks of choice oxen. / If only, when you have prayed for higher things, / you would ask for emperor’s anger against me to abate!

But it is towards the middle of this poem that Ovid offers his most striking contribution to our conception of how the consulate was now understood, in using the utmost ingenuity to express the idea that its dignity was even increased by its being in the gift of another. As to the latter point, there here is no ambiguity at all. Ovid is referring to both

of the two consulships to be held by the brothers (65–70):

qui quamquam est ingens, et nullum Martia summo
altius imperium consule Roma videt,
multiplicat tamen hunc gravitas auctoris honorem,
et maiestatem res data dantis habet.

iudiciis igitur liceat Flaccoque tibi que
talibus Augusti tempus in omne frui.

Mighty though he is, and though Mar's Rome / sees no power higher
than the supreme consul's, / yet the gravity of its author multiplies
this honour, / and the gift shares the majesty of its giver. / Both
Flaccus and yourself may now enjoy the benefit / of Augustus'
judgement for all time.

The language is unambiguous: the Emperor is the author (*auctor*) of
the honour, and the consulship itself a gift (*res data*) which partakes of
the majesty (*maiestas*) of the giver.

Metamorphoses in the Imperial Household

But "Augustus," whose favourable judgements both brothers will, it is
hoped, continue to enjoy, is not of course Augustus, now dead, but
Tiberius. Tiberius may perhaps have claimed that he would reserve
this cognomen only for writing to kings;⁴⁵ but if so, Ovid, like
everyone else in the Empire, did not believe it. It was not however
that detailed news did not reach him in Tomoi. In the sixth winter of
his exile (A.D. 14/15) he was able to claim that he had written a poem
in the Getic language (*Getico sermone*) on the deification of Augustus
and the delayed accession of Tiberius. The poem which embodies this
claim (*Ex P.* 4, 13), reflecting the reports of the events of summer A.D.
14 which had reached Tomoi by the following winter, is thus by far
the most immediate testimony to the confused and hesitant process by
which Tiberius took up the "reins of empire"—those same "reins"
which Valerius Maximus, perhaps writing not long after, recorded as
having nearly been seized from Tiberius by a conspirator.⁴⁶ Ovid
writes as follows (25–33):

nam patris Augusti docui mortale fuisse
corpus, in aetherias numen abisse domos:
esse parem virtute patri, qui frena rogatus
saepe recusati ceperit imperii:
esse pudicarum te Vestam, Livia, matrum,

ambiguum nato dignior anne viro:
esse duos iuvenes, firma adiumenta parentis,
qui dederint animi pignora certa sui.

For I taught how, though father Augustus had been mortal / in body,
his spirit had departed for the heavenly abodes; / that one matched
his father in virtue, who, offered the reins / of empire, took them after
frequent refusal; / that you, Livia, were the Vesta of chaste matrons, /
whether worthier of son or husband none can tell; / that there were
two young men, firm props for their parent, / who had given sure
guarantees of their spirit.

The language which Ovid uses is, not surprisingly, very close to that of
a revised passage which appears in book 1 of the *Fasti*, again as part of
a prophecy of the rule of the Augusti, put in the mouth of Carmentis
(529–36):⁴⁷

tempus erit, cum vos orbemque tuebitur idem,
et fiet ipso sacra colente deo,
et penes Augustos patriae tutela manebit:
hanc fas imperii frena tenere domum.
inde nepos natusque dei, licet ipse recuset,
pondera caelesti mente paterna feret;
utque ego perpetuis dim sacrabor in aris,
sic Augusta novum Iulia numen erit.

Time will be, when the same one will protect you and the globe, / and
sacrifice will be offered by the god himself, / the guardianship of the
land will remain with the Augusti: / it is the god's will for this house
to hold the reins of empire. / Hence the grandson of a god and son of
a god, though he may himself refuse, / will carry his father's burden
with celestial mind; / and just as I shall one day be sanctified with
perpetual altars, / so shall Iulia Augusta become a new deity.

Here too the reins of empire (*imperii frena*) make their appearance;
and, here too, a real prominence is give to Livia, appearing in the *Fasti*
with her new name “Augusta,” while in *Ex Ponto* she is again
associated with Vesta and the mothers. Once again, in both passages,
stress is laid on the (artificial) continuity of the imperial house. Here
too, Ovid's perceptions were specifically prompted from Rome, and
from the inmost circles of the “Augustan aristocracy.” Norbanus
Flaccus' public dedication in the Circus Flaminius of statues of Divus
Augustus and the Domus Augusta (see text to n. 18) was matched by

the fact that Cotta Messallinus, before Augustus' death, had sent Ovid a set of silver statuettes of Augustus, Tiberius, and Livia, intended—or certainly deployed by Ovid—as objects of worship (*Ex P.* 2, 8, 1–10). But now, in the same poem addressed to Pomponius Graecinus about his consulate, Ovid proclaims that in the shrine of Caesar (*sacrum Caesaris*) in his house not only Livia and Tiberius but Germanicus and Drusus have their place, all duly receiving his daily worship (4, 9, 105–12):

nec pietas ignota mea est: videt hospita terra
in nostra sacrum Caesaris esse domo.
stant pariter natusque pius coniunxque sacerdos,
numina iam facto non leviora deo.
neu desit pars ulla domus, stat uterque nepotum,
hic aviae lateri proximus, ille patris.
his ego do totiens cum ture precantia verba,
Eo quotiens surgit ab orbe dies.

Nor is my piety unknown: the land that shelters me sees / that in my home there is a shrine of Caesar. / By him stand pious son and priestess wife, / no slighter powers now he has become a god. / No part of the house is missing, each of the grandsons stands there, / one by his grandmother's side, the other by his father. / To them time and again I offer incense and words of prayer, / as often as the day rises from the east.

Rome Seen from Tomoi: The Insider's View from Outside

Ovid's exile, however unfortunate for him, offers still unexploited resources for us. For, on the one hand, he was the close associate of prominent senatorial families which not only made their peace with the new regime, but played a central part in constructing an adulatory ideology for it. Secondly, while he did indeed step aside from the senatorial career which his younger contemporary, Velleius Paterculus, followed, he remained high up in Roman society. What is more, the poetry of his last ten years in Rome might be seen as the most "Augustan" of all, as the only large body of verse to devote itself overtly to the celebration of the new regime. But it is precisely, I wish to suggest, this previous role as an indefatigable and poetically resourceful loyalist which provides the background against which we should read the "late-Augustan," or "post-Augustan," poetry of Ovid's exile. For circumstances forced him to devote his extraordinary talents

to a construction or representation of Rome, its public life, the role of the leading senators, and the place within it of the imperial family, which is all the more important for being both well informed and yet almost wholly “imagined.” There is, of course, far more to this evocation than the isolated examples put forward here.

Ovid, writing from Tomoi, was thus simultaneously the rejected loyalist “insider” and the provincial “outsider,” catching the distant echoes of political change. He makes himself, of course, rather more distant, in a true sense, than he really was. For although Tomoi was indeed a frontier city, outside which the territory of barbarian peoples began, it was itself a Greek city like any other,⁴⁸ a fact which achieves only a brief reflection in the poetry which he wrote there (*Ex P.* 4, 14, 47–48).

Seen in a different light, therefore, as the witness writing from “outside,” Ovid reflects the close attention to the changing shape of the imperial house, and the anxieties as to how to react after the death of Augustus, which might be felt in any Greek city. How those distant realities were construed and expressed must itself be fundamental to the nature of the immediately “post-Augustan” Empire as understood by us. The most vivid parallel to the exiled Ovid’s insistent loyalism is the rather neglected oath of loyalty from Palaipaphos in Cyprus.⁴⁹ The inhabitants of this small Greek city also had to do what they could in A.D. 14. They did not need to feel so marginal to the Empire as the people of Tomoi, and were not exposed to the bitter cold of the Black Sea coast, or the raids of barbarians; and what is more, they could (and did) claim a special link to “the descendant of Aphrodite, Sebastos Theos Kaisar” (the Deified Caesar Augustus). None the less, it is worth recalling that they were in fact situated some one-and-a-half times as far from Rome, as the crow flies, as Tomoi, and were faced with the same need to construe an unprecedented situation. What is more, they too had heard that there was some hesitation in the new emperor’s acceptance of the imperial nomenclature, and duly left in the inscribed text of their oath of loyalty two gaps into which they might later insert the word “Autokrator”—if the new emperor later turned out to have taken the *praenomen* “Imperator” after all. But, more important, they laid a heavy emphasis on the (fictional) continuity of the imperial house: some honours (it is not clear which) would be voted “along with the other gods, to Roma, to Tiberius Caesar, son of Augustus, Augustus, and to the sons of his blood, and none other of all.” The ideological force of the new monarchy was

indeed remarkable: poetry and prose, inscriptions in both Greek and Latin, coins both Roman and non-Roman, and images both Roman and provincial, had all come to express an elaborate series of constructions of an imperial “family” which was itself a succession of constructions.

NOTES

*First published in *JRS* 83 (1993): 1–17. This chapter represents a version of my Presidential Lecture to the Roman Society, given on January 7, 1992. I am very grateful to the Editor, Andrew Wallace-Hadrill, and the Editorial Committee for valuable and salutary criticisms, and to the Editor for providing his own translations of the Latin. But for the author’s obstinacy, the criticisms offered would have served to reduce the defects of the paper somewhat further.

1. Livy 4, 17–20, see Ogilvie to the passage, and see esp. R. Syme, “Livy and Augustus,” *HSCPh* 64 (1954): 27 = *Roman Papers* I (1979), 440, and T. J. Luce, “The Dating of Livy’s First Decade,” *TAPhA* 96 (1965): 209.

2. See F. Millar, “Cornelius Nepos, ‘Atticus’ and the Roman Revolution,” *Greece and Rome* 35 (1988): 40 (chapter 7 in this volume), and now esp. N. Horsfall, *Cornelius Nepos: A Selection, including the Lives of Cato and Atticus* (1989).

3. For this phase, see P. Zanker, *Augustus und die Macht der Bilder* (1987), chaps. 2–3.

4. Millar (no. 2), 40 and 51.

5. For the suggestion that the period from 43 to 28 B.C. might be so termed, see R. Syme, *History in Ovid* (1978), 169.

6. For difficulties in seeing Livy as “Augustan,” see T. J. Luce, “Livy, Augustus and the Forum Augustum,” in K. A. Raafaub and M. Toher, eds., *Between Republic and Empire: Interpretations of Augustus and His Principate* (1990), 123.

7. J. Griffin, “Augustus and the Poets: ‘Caesar qui cogere posset,’” in F. Millar and E. Segal, eds., *Caesar Augustus: Seven Aspects* (1984), 189.

8. Velleius 2, 100, 2. For his repeated allusions to the consulate of M. Vinicius, see *PIR*¹ 5, 445.

9. G. Alföldy, “Augustus und die Inschriften: Tradition und Innovation. Die Geburt der imperialen Epigraphik,” *Gymnasium* 98 (1991): 289.

10. Suetonius, *Div. Aug.* 31, 5; see Luce (n. 6).

11. *AE* 1967, no. 458; *SEG XXIII*, no. 206; see esp. J. E. G. Zetzel, "New Light on Gaius Caesar's Eastern Campaign," *GRBS* 11 (1970): 259.

12. *ILS* 139–40; A. R. Marotta d'Agata, *Decreta Pisana* (*CIL* XI, 1420–21) (1980).

13. See, still, P. A. Brunt, "The Lex Valeria Cornelia," *JRS* 51 (1961): 71.

14. See now E. S. Ramage, *The Nature and Purpose of Augustus' Res Gestae* (1987).

15. *AE* 1984, no. 508, fr. B, col. 2, l. 17, of the combined text in M. Crawford (ed.), *Roman Statutes* I (1991), no. 37/8. See Z. Yavetz, "The *Res Gestae* and Augustus' Public Image," in Millar and Segal (n. 7), 1. Note the excellent English translation of the whole text provided by R. K. Sherk, *The Roman Empire* (1988), no. 36.

16. *Roman Statutes*, no. 37/8, fr. B, col. 2, ll. 27–30.

17. For these genealogical connections, by their nature beyond the ability of the present writer to grasp in detail, see R. Syme, *The Augustan Aristocracy* (1986), chaps. 15–17 and tables 9–10.

18. *AE* 1984, no. 508, fr. I. For this connection see already F. Millar, "Imperial Ideology in the Tabula Siarensis," in J. González and J. Arce, eds., *Estudios Sobre La Tabula Siarensis* (1988), 11 (chapter 15 in this volume).

19. W. Eck, A. Caballos, and P. Fernandes, *Das Senatusconsultum de Cn. Pisone Patre* (1996).

20. See Y. Maslakov, "Valerius Maximus and Roman Historiography: A Study of the *exempla* Tradition," *ANRW* 2.32.1 (1984), 437, and now esp. W. Martin Bloomer, *Valerius Maximus and the Rhetoric of the New Nobility* (1992).

21. J. Bellemore, "When Did Valerius Maximus Write the *Facta et Dicta Memorabilia*?" *Antichthon* 23 (1989): 67.

22. See G. V. Sumner, "The Truth about Velleius Paterculus: Prolegomena," *HSCPh* 74 (1970): 252; A. J. Woodman, *Velleius Paterculus: The Caesarian and Augustan Narrative* (2.41–93) (1983), and *The Tiberian Narrative* (2.94–131) (1977).

23. Contrast the much-quoted passage on the "restoration" of the *res publica* by Augustus (2, 89) with that on the same achievement on the part of Tiberius (2, 126).

24. S. Demougin, *Prosopographie des chevaliers romains julio-*

claudiens (1992), no. 88 (the father); no. 108 (Velleius himself).

25. Only the key references will be given. The evidence has often been collected, most recently in *PIR*² 0 180.

26. *ILS* 932.

27. There is no room here to argue this proposition. I will merely state baldly that (for instance) it wholly vitiates the otherwise interesting paper by G. Williams, "Did Maecenas 'Fall from Favour'? Augustan Literary Patronage," in Raaflaub and Toher (n. 6), 258.

28. Suetonius, *Div. Aug.* 58.

29. For the dates (as in all that follows), Syme (n. 5), 19–20.

30. G. Bowersock, "Augustus and the East: The Problem of the Succession," in Millar and Segal (n. 7), 169.

31. Syme (n. 5), 21–22.

32. See, e.g., A. Wallace-Hadrill, "Time for Augustus: Ovid, Augustus and the *Fasti*," in M. Whitby, P. Hardie, and M. Whitby, eds., *Homo Victor: Classical Essays for John Bramble* (1987), 221; the essays collected in *Arethusa* 25.1 (1992), *Reconsidering Ovid's Fasti*; and D. C. Feeney, "*Si licet et fas est*: Ovid's *Fasti* and the Problem of Free Speech under the Principate," in A. Powell, ed., *Roman Poetry and Propaganda in the Age of Augustus* (1992), 1.

33. So, e.g., G. Williams, *Change and Decline: Roman Literature in the Early Empire* (1978), 54–55—though I cannot see why the main passage quoted, *Fasti* 4, 19–62, must have been written after A.D. 14. *Fasti* 1, 531–36, is a much clearer case (see text to n. 47).

34. See D. C. Feeney, *The Gods in Epic: Poets and Critics of the Classical Tradition* (1991), chap. 5.

35. See P. White, "Julius Caesar in Augustan Rome," *Phoenix* 42 (1988): 334.

36. *Tr.* 2, 131–37; 4, 9, 12; 5, 2, 56–58; 2, 21.

37. R. Saller, "Promotion and Patronage in Equestrian Careers," *JRS* 70 (1980): 44, and *Personal Patronage in the Early Empire* (1982).

38. For the fullest recent discussion see H. B. Evans, *Publica Carmina: Ovid's Books from Exile* (1983).

39. Syme (n. 5), 38–39.

40. J. Davidson, "The Gaze in Polybius," *JRS* 81 (1991): 38–39.

41. R. R. R. Smith, "The Imperial Reliefs from the Sebasteion at Aphrodisias," *JRS* 77 (1987): 88; "*Simulacra Gentium*: The *Ethne* from

the Sebasteion at Aphrodisias,” *JRS* 78 (1988): 50.

42. See N. Purcell, “Livia and the Womanhood of Rome,” *PCPhS* 212 (1986): 78.

43. The date is given by *AE* 1922, no. 96 (from Praeneste, Degraasi, *Ins. It.* 13.2, p. 135, a fragment of the *Fasti Praenestini*): “Ti. Caesar curru triumphavit ex Ilurico” (Ti[berius] Caesar, riding in a chariot, triumphed over Illyricum [on the same day of the year as the second battle of Philippi]; see Syme (n. 3), 40–41.

44. Dio 57, 14, 6.

45. Suetonius, *Tib.* 26, 2.

46. Text to n. 21.

47. Cf. n. 33 and related discussion in text.

48. See esp. D. M. Pippidi, “Tomis, cité géto-grecque à l’époque d’Ovide?,” *Athenaeum* (1968): 250 = *Parerga: écrits de Philologie, d’épigraphie et d’histoire ancienne* (1984), 189. For the inscriptions, see *Inscriptiones Scythiae Minoris Graecae et Latinae II: Tomis et territorium* (1987).

49. T. B. Mitford, “A Cypriot Oath of Allegiance to Tiberius,” *JRS* 50 (1960): 75; *SEG* XVIII, no. 578; *AE* 1962, no. 248. See P. Herrmann, *Der römische Kaisereid* (1968), esp. 102–3.

CHAPTER FIFTEEN

Imperial Ideology in the Tabula Siarensis



The importance of the Tabula Siarensis is first of all, quite simply, that it presents an extensive new text in Latin from the early Empire. Moreover, as a text, it can be considered as a single document along with that contained in the Tabula Hebana, and the three smaller fragments from Rome.¹ For, as was evident from the outset, the last nine lines of the Tabula Siarensis contain the beginnings of the first six lines of the Tabula Hebana. We thus have at our disposal a single, but not continuous, text of some 160 lines; it therefore represents one of the most substantial pieces of Latin prose from the early imperial period to be preserved in documentary form.

I emphasise the use of the word “text.” The creation of a text is one thing, which in this case is a function of the central organs of the Roman *res publica*. The creation of the *inscription* is a separate question, which involves a range of different issues: these include the despatch of the text to a particular locality, or the spontaneous acquisition of it by the community concerned; the nature of the political community which gave instructions for the inscribing of the bronze tablets; the motivation for this action and (where possible) the nature of the urban setting in which the tablets were to be displayed; the availability of persons technically qualified to carry out the work of incising the text on bronze; and the wider questions of literacy, and the public, or social, function of extensive texts displayed in Latin in a provincial context.

I emphasise the distinction between text and inscription in order to make clear that what I propose to discuss is the text; and by text I mean the combined text made available by the two tablets, from Heba and Siarum, together, along with the fragments from Rome. In novelty and significance this text far outweighs, for instance, that of the new decree of the senate of the same year, A.D. 19, from Larinum,² or even the extensive bilingual edict of a governor on *vehiculatio* (the exaction of transport services), issued probably a couple of years earlier, and inscribed in Pisidia.³ In scale the new combined text can be compared with the 280 or so lines of the *Res Gestae* itself. There are several points of contact between the two, to which I will return. For the

moment let me simply emphasise again, in the case of the *Res Gestae*, the distinction between text and inscription. As a text, the *Res Gestae* is in every sense an Augustan composition, written by Augustus himself, perhaps in a first draft soon after 2 B.C., and in its final form in the last year of his life. But as an *inscription* it too is early Tiberian, set up outside the Mausoleum, and then copied for re-inscription in a number of provincial centres. Whether this copying and re-inscription were spontaneous or followed instructions from the Senate for the distribution of the text is precisely a question raised by analogy by the new text from Sيارum.

What I wish to say therefore concerns not Baetica, where the inscription was created, but the nature of the Roman *res publica* as it was in the early Empire, and specifically in the early years of Tiberius. By nature I mean in the first instance its explicit nature, or the conception of the state as expressed publicly by those who played a role in it. In this respect the new text presents a view of the emperor, the imperial family, of Rome—its institutions and its urban monuments—which can both be compared and contrasted with that provided by another set of texts from the same years, the *Tristia* and *Epistulae ex Ponto* of Ovid.⁴ Here too, but of course in a very different way, the structure of public and political life at Rome is mirrored in a provincial environment.

Let me just illustrate one aspect of this parallel between the *tabula* and Ovid, two sources which speak to us from opposite ends of the Empire: that is the emphasis on the *domus Augusta* (the Imperial family). The text of the decree of the Senate passed in December A.D. 19 records that statues of Divus Augustus and the Domus Augusta had already been dedicated by Gaius Norbanus Flaccus in the Circus Flaminius; as Professor González suggests, the year must be that of Flaccus' consulship, in A.D. 15 along with Drusus Caesar. In the same year Ovid addressed *Ex Ponto* 4, 9, to Pomponius Graecinus, consul designate for A.D. 16: in it he records that his house in Tomoi displayed his *pietas*, for it contained a shrine with images of the newly deified Augustus, as well as of Tiberius, Livia, Germanicus, and Drusus—lest any member of the family be lacking (4, 9, 105–10).

More generally, the new text serves to emphasise a number of important features of the structure of the early imperial state. The first and most important of these is the continuing significance of the passage of legislation by the people. I believe indeed that our entire conception of Roman political history has been distorted by an

excessive emphasis on the importance of the Senate, as opposed to the Roman people. I have argued this for the second century,⁵ and hope to do so elsewhere as regards the last years of the Republic; in the latter case in particular it was successive laws passed by the people which were the main agent of change, and represented the crucial steps which brought about the domination of Caesar and hence the foundation of the empire.

As regards the early Empire itself, Professor P. A. Brunt has recently emphasised the importance of the role of the Senate, and the fact that our sources will often attribute to an emperor measures which had in fact to be put into effect through a vote of the Senate.⁶ This is indeed true and important; but the same considerations apply also to the votes of the people, whether in the centuriate assembly or the tribal assembly of the thirty-five tribes. The new text affords a precise example. Tacitus, *Annals* 2, 83, recording in summary form some of the honours voted in memory of Germanicus at the end of A.D. 19, does not explicitly say by whom these honours were voted. But, given his general dependence on the *Acta Senatus* (the proceedings of the Senate),⁷ it would always have been natural to suppose that he was implicitly referring to a vote of the Senate. What we would *not* have presumed is that this vote was to be followed, early in A.D. 20, by a law put to the people by the incoming consuls (fr. b, 2, ll. 27–30): “And that M. Messala, M. Aurelius Cotta Maximus, the consuls designate, when they entered office—on the first occasion as far as the auspices allow—without giving notice of two or three *nundinae* [three eight-day periods], should see that a law [*lex*] on the honours for Germanicus Caesar be presented to the people.” As J. S. Richardson points out to me, this part of the new text can also be seen from the opposite perspective. That is to say, it shows that, even as regards the most formal aspects of procedure, the Senate can now act as if the consent of the people could be assumed in advance. As the passage which precedes these lines also shows, the measures also included provisions for honours to be offered by or in the name of the urban plebs, including statues of Germanicus “with an inscription of the Roman plebs” (*Tab. Siar.* fr. b, 2, ll. 7–10). None the less, it remains significant that these provisions were still, in however cursory a fashion, to be embodied by the consuls in a law and put before the people.

What the people subsequently voted had a dual character, in this respect presumably mirroring the Lex Valeria Cornelia of A.D. 5: that

is to say the people both voted honours for the deceased and instituted a novel element in the constitution, the new centuries composed of senators and *equites*, which would henceforth form a part of the centuriate assembly as an electoral assembly. We know from Cassius Dio (37, 28, 1–3; 58, 20, 3–4) that the centuriate assembly continued to meet on the Campus Martius at least until his own time, the early third century. There is no reason to suppose that the new centuries did not continue to form a part of what Pliny the Younger was to call the *sanctissimum carmen* (the most sacred ritual) of the assembly (*Pan.* 92, 3). As I indicated earlier, what is at issue here is the formal structure of the *res publica* and the relations of its component parts, not the question of the real location of political power. As the evidence of Ovid itself shows, as early as the end of Augustus' reign and the beginning of that of Tiberius, it was openly acknowledged that the consulate at least was in fact in the gift of the emperor. In the same poem which was mentioned earlier, addressed to Pomponius Graecinus, consul designate for A.D. 16, and concerning the prospective consulate of his brother, Pomponius Flaccus, in A.D. 17, Ovid says: "Grand as the consul is—and Rome, the city of Mars, sees no *imperium* higher than that of the supreme consul—none the less the dignity [*gravitas*] of the author [*auctor*] increases the honour, and that which is given partakes of the majesty of the giver" (*Ep. ex Ponto* 4, 9, 65–67). Few texts more perfectly express the delicate ambiguity of the early imperial state.

The formal structure of the centuriate assembly, which was to continue to meet on the Campus Martius to elect consuls and praetors for at least two centuries more, was one component of the law (*rogatio*) to be put forward in January A.D. 20. The other was the range of honours and forms of commemoration for the deceased Germanicus. Those clauses which survive in the last part of the Tabula Hebana include, firstly, permanent provisions for changes in the annual rituals of the city, such as the putting out of the curule chairs of Germanicus Caesar in the theatres during the *ludi Augustales* (ll. 51–52); when the temple of Divus Augustus was finished, these chairs would be kept there, and in the mean time in that of Mars Ultor. The provisions also include specific arrangements (ll. 54–55) for the day (i.e., the expected day in A.D. 20) when the bones, or rather the ashes, of Germanicus would be interred in the *tumulus*; that done, the *magistri* of the *sodales Augustales* were subsequently to make offerings (*inferiae*) there on the anniversary of his death each year. The building described as *tumulus* is of course what we call the Mausoleum of

Augustus. The references to *inferiae* offered to the shade (*manes*) of Germanicus (as to those of Gaius and Lucius) which appear in the fragmentary opening lines of fragment b, column 2 of the Tabula Siarensis are to mark this same anniversary; it follows that the Mausoleum will thus have been described, in the missing lines, simply as *tumulus*, and not as *tumulus Germanici Caesaris*.

The use of a law, in A.D. 19 as in A.D. 5, and almost certainly in A.D. 23 for Drusus, to validate honours for deceased members of the imperial house, of course mirrors the similar use of laws to grant powers and honours to them during their lives. It is not necessary to multiply examples of this: the *Res Gestae* itself records the laws by which Augustus received the tribunician power for life in 23 B.C. (10, 1), or by which the consulship in advance was decreed for Gaius and Lucius (14, 1). Other evidence shows, for instance, that it was by a law that Tiberius had received a general *imperium* in the provinces in A.D. 13.⁸

On such occasions, as with posthumous honours, even when a law was in fact passed by the people, this fact may not always be specifically recorded by our narrative source. No law is mentioned, for instance, when Tacitus briefly alludes to Tiberius' request, evidently addressed to the Senate, for proconsular *imperium* for Germanicus in A.D. 14 (*Ann.* 1, 14). But the precedents, that is to say, that of the previous year and that of the *imperium* voted for Agrippa (*P.Col.inv.*, no. 4701 = *P.Köln* 249), show that it is almost certain that such a law was in fact subsequently passed. Moreover, since we now know from the Tabula Siarensis that Tacitus ignored the passing of such a law early in A.D. 20, we can be reasonably certain that he did so also in relation to the posthumous honours of Drusus, the son of Tiberius, in A.D. 23 (*Ann.* 4, 9). As Oliver and Palmer suggested,⁹ it is the honours which were then voted to Drusus which appear in the Tabula Ilicitana; the Tabula Siarensis now strongly suggests that this fragmentary text also is that of a law.

Tacitus is thus guilty of some distortion in his account of events in Rome, in focusing so exclusively on the Senate, and on scenes and votes in the Senate. So are we, and in some respects more so. Tacitus at least was quite clear that provinces governed by proconsuls appointed by lot were called "public provinces" (*publicae provinciae*) (*Ann.* 13, 4). We frequently call them "senatorial" provinces. But the only contemporary description of the division of the provinces as it was under Augustus, that of Strabo in the *Geography* (840), states

unambiguously that the division, which in any case related only to the method of appointment, was between the Emperor and the *demos*, that is the Roman people.¹⁰

The new text also happens to illustrate perfectly the fact that the distinction between the two types of province was not an administrative one. The Senate, to be followed by the people, determines the emplacement of monuments in the imperial province of Syria and on the Rhine, both of which were areas to which the emperor sent legates (*legati*) selected by himself (*Tab. Sia. fr. a, 1, ll. 23–37; CIL VI, 31199a = Roman Statutes*, no. 37/8, Rome fr. a). The arrangements for the distribution of the text to provincial colonies and for its posting-up by provincial governors (*Tab. Sia. fr. b, 2, ll. 24–27*) also make no distinction between the two types of province.

The empire as a whole in any case remained, in the official language of the time, the attribute of the Roman people, in which formal sovereignty still resided. Augustus himself in the *Res Gestae* makes this clear: “I extended the territories of all the provinces of the Roman people” (26, 1); “I added Egypt to the *imperium* of the Roman people” (27.1): “The peoples of Pannonia, who have never seen armies of the Roman people before my principate [*ante me principem*], having been defeated [subdued] by my son Tiberius Nero, I brought under the *imperium* of the Roman people” (30, 1). Sometimes the expression of sovereignty is indeed blurred; that is to say, the emperor may appear in this text, the *Res Gestae*, not merely as an agent of the sovereign Roman people but as a second sovereign: “my army compelled the Dacian peoples to submit to the *imperium* of the Roman people” (30, 2); or “The peoples of Germany through their envoys sought my friendship and that of the Roman people” (26.4). None the less, the essential military role which is stressed in the *Res Gestae* is that of the *imperator* who achieves his conquests *for* the Roman people, whose *imperium* is thus increased: “Egypt having become subject to the power of the Roman people,” as Augustus expressed it on the bases of two obelisks which he installed in Rome (*ILS 91*). Velleius Paterculus, writing a few years after the composition of the text which the Tabula Siarensis reveals, faithfully concurs. His list of provinces added to the Empire ends with Cappadocia: “Tiberius Caesar . . . made Cappadocia tributary to the Roman people” (2, 39, 3).

The greatness and imperial domination of the Roman people was of course central to Augustan ideology. But so too was the conception

that this greatness had been brought about by the agency of a long line of famous *duces* (generals), stretching back to the Foundation. Exactly this was the lesson which Augustus explicitly stated that he wanted to be drawn from the statues of the *summi viri* (the foremost men), each with its brief inscribed record of achievements, which he placed in the Forum Augustum surrounding his new temple of Mars Ultor. These statues enshrined the memory of the *duces*: “who transformed the empire of the Roman people from the smallest into the greatest” (qui imperium p[opuli] R[omani] ex minimo maximum reddidissent). But their purpose was not to be merely commemorative, for Augustus stated in a edict that he had designed all this in order that their example might lead to the demand by the citizens for the observance of the same standard both by himself and by the *principes* of subsequent ages (Suetonius, *Div. Aug.* 31).

This interrelated set of concepts is perfectly reflected also in the Tabula Siarensis. The arch to be placed in the Circus Flaminius was to be adorned with *signa* (statues) of the *devictae gentes*, that is, those conquered by Germanicus. On the front the arch was to bear an inscription recording that it had been dedicated to the memory of Germanicus Caesar by the Senate and the Roman people, because he had conquered the Germans in war and driven them out of Gaul; he had recovered the military standards and had avenged the treacherous slaughter of an “army of the Roman people”; when Gaul had been restored to order he had been sent to the East as proconsul. This title, found also in *CIL* VI, 31199a = *Roman Statutes*, no. 37/8, Rome fr. a, remains puzzling. But its use in this context confirms the correctness of the use of *anthupatos* (proconsul) in the edict issued by Germanicus in Alexandria (*Sel.Pap.* 2, no. 211). He had then regulated the provinces and kingdoms, following the *mandata* (instructions) of Tiberius Caesar Augustus, until “he finally met his death for the *res publica*” (fr. a, 1, l. 18: *ob rem p[ublicam] mortem obisset*). The heroic role is that of the individual, Germanicus; but the army had been that of the Roman people and the cause which he had been serving is that of the *res publica*.

This theme was taken up when the ashes of Germanicus reached Rome and were placed in the *tumulus Augusti* (as Tacitus calls it). Tiberius informed the people that in the past many illustrious Romans had died for the *res publica* (*ob rem publicam obisse*); moreover a decent restraint in mourning was appropriate to an *imperator populus*. But the people none the less compared the more extravagant and open

mourning for Germanicus' father Drusus in 9 B.C.: on that occasion the body had been surrounded by the portraits (*imagines*) of the Claudii and the Iulii, there had been public lamentation in the Forum, and a funeral oration from the Rostra. Where, the people asked in A.D. 20, were the ancient customs, the effigy laid on the pyre, the songs (*carmina*) and eulogies (*laudationes*) designed to preserve the memory of his valour (*ad memoriam virtutis*) (Tacitus, *Ann.* 3, 4–6)?

As the popular reactions reported by Tacitus implied, the Roman funeral was designed both to recall the past and provide exhortation for the future. If the interment ceremonies for Germanicus were indeed, as Tacitus implies, regarded as not meeting the expected standards for public commemoration, even Tacitus admits that the funeral procession of Tiberius' son Drusus, three years later, was of exceptional splendour; it was marked by portraits of Aeneas, the originator (*origo*) of the Iulia Gens; of all the Alban kings; of Romulus, the founder of the city; and of the Sabine aristocracy (*nobilitas*), Attus Clausus and the later Claudii (*Ann.* 4, 9). This list comes very close to that of the foremost men whose statues adorned the two apses of the Forum Augustum. The ideology of the Augustan regime still dominated the public image of the next reign, and formed the standard by which it would be judged.

Indeed, it was precisely the comparison between the elder Drusus' funeral in 9 B.C. and that of Germanicus which, as Tacitus implies, so struck the people of Rome in A.D. 20. But, as the *Tabula Siarensis* now shows, Tacitus' report of official reactions on the news of Germanicus' death, before the ashes arrived, is very abbreviated and incomplete. It is not only, as we saw, that he omits altogether the law passed by the consuls early in 20. Even his brief account of the honours for the deceased (*Ann.* 2, 83) hardly does justice to the complexity of what the Senate voted in December of A.D. 19. The measures which were then taken included, for instance, the laying down of a detailed sculptural programme for the new arch which was to be erected in the Circus Flaminius (*Tab. Siar.* fr. a, 1, ll. 9–21). These lines represent the only documentary account which we have, which records the decision-making process by which the ideological and propaganda function of an arch in Rome was consciously determined. Apart from the statues representing the defeated peoples (*devictae gentes*) and the commemorative inscription, already mentioned, the arch was to be surmounted by a statue of Germanicus in a triumphal chariot (*currus triumphalis*), and on either side of him there were to be statues of his

father Drusus, his mother Antonia, probably his wife Agrippina, his sister Livia, his brother Claudius (here called Tiberius Germanicus), and his male and female children. The programme is notable for the prominence which it gives to the female members of the family, a feature which deserves further consideration elsewhere. The prominence here given to the Claudii Neroni makes a striking contrast with the fate which befell most of those mentioned within the next two decades. Even by the time Velleius Paterculus was completing his *History* in A.D. 30, and piously advertng to the pain caused to Tiberius by Agrippina and her eldest son (2, 130, 4), this arch in the Circus Flaminius must have been somewhat embarrassing. It would also be interesting to know in what way the unwarlike Claudius was represented on this triumphal arch. No one could have expected that a quarter of a century later it would be he who would have a number of *devictae gentes* in the new province of Britain to his credit, and would be celebrating a triumph of unparalleled splendour: or that far away in Aphrodisias in Caria they would feel moved to create the first ever symbolic representation of Britannia, in the form of a bas-relief of her being conquered and subjected by the victorious Claudius in person.¹¹

All this is of course extremely significant for the public ideology of Tiberius' reign. But it all represents, none the less, words and honours directed towards the imperial house, by the Senate and People. What then of words actually issued by members of the imperial family? Tacitus, as we saw, complained that when the ashes of Germanicus arrived, there was a conspicuous lack of the songs (*carmina*) and eulogies (*laudationes*) designed to preserve the memory of his valour (*Ann.* 3, 5). But in fact, as the new text reveals, such *laudationes* had taken place, but earlier, in December A.D. 19, and within the walls of the Senate. Drusus Caesar, the son of Tiberius, delivered one oration, and it was agreed that "the text of it, which he had read in the next meeting of the Senate" (*libellus, quem in proximo senatu recitasset*) should be inscribed on bronze and put up in public. Before that, on December 16, the date of the earlier of two decrees of the Senate passed this month in relation to Germanicus, Tiberius himself had also delivered a *laudatio*: this too was to be inscribed and put up in public. The reasons for doing so are explained in detail: "because [the text] contained not only a *laudatio* but an account of his whole life [*vitae totius ordinem*] and a true record of his *virtus*"; moreover "he himself [Tiberius] had testified in the same text [*libellus*] that he would not wish to conceal his desire [that this should be done], and judged that

it was useful to the young of the next generation and those of our posterity [*utile iuventuti liberorum posterorumque nostrorum*] (*Tab. Siar.* fr. b, 2, ll. 11–19).

Here again we have a direct expression, reflecting the words of Tiberius himself, of the explicit continuation of Augustan ideology: the achievements of Germanicus, like those of the *summi viri* commemorated in the Forum Augustum, were to serve as a model for posterity. But there may also be a more specific connection; if this is so, we have a case where the new text casts light back on the propaganda, or rather retrospective propaganda, of Augustus himself.

What readership had Augustus had in mind in composing his *Res Gestae*? Was not this text also, set up outside his Mausoleum, intended to offer a model of conduct for future generations? Looking at this question a few years ago in his chapter in the volume *Caesar Augustus*,¹² Zvi Yavetz considered various possibilities, and then suggested that it was really directed to the *iuventus* of Rome and Italy. Like Syme in the *Roman Revolution*, he was of course thinking of the pre-war dictatorships, of Hitler and the *Hitlerjugend*. Various reviewers of the book found difficulty in accepting this suggestion;¹³ indeed it could at that moment have been no more than a suggestion, even a jeu d'esprit, with no concrete basis in evidence. But fortune sometimes favours those who have the courage to speculate, and who do so with a feeling for the nature of a society in the past. The *Tabula Siarensis* had already been discovered when Yavetz spoke at the colloquium to honour the eightieth birthday of Sir Ronald Syme in 1983; the book of essays on Caesar Augustus and the text of the *Tabula* were published almost simultaneously in 1984.¹⁴ The *Tabula* thus provides precisely the explicit confirmation which had previously been lacking: it proves that it was possible, within the political culture of the early imperial state, to express the idea that a record of individual achievement might indeed be conceived of as a model offered to the *iuventus* of the next and succeeding generations. Not the least of the many benefits of this extraordinary text, for which we owe a debt of gratitude to Julián González, is that it makes us look again at the reign of Augustus.

NOTES

*First published in J. González and J. Arce, eds., *Estudios sobre la Tabula Siarensis* (Madrid, 1988), 11–19. I am grateful for comments and improvements to the members of the symposium, and especially

to Prof. J. S. Richardson.

1. *CIL* VI, 31199; now in M. Crawford, ed., *Roman Statutes* I (1996), no. 37/8.

2. *AE* 1978, 145; see B. Levick, "The Senatus Consultum from Larinum," *JRS* 73 (1983): 97.

3. S. Mitchell, "Requisitioned Transport in the Roman Empire: A New Inscription from Pisidia," *JRS* 66 (1976): 106; *AE* 1976, 653; *SEG* XXVI, 1392.

4. For the historical and chronological framework, R. Syme, *History in Ovid* (1978).

5. "The Political Character of the Classical Roman Republic, 200–151 BC." *JRS* 74 (1984): 1 (chapter 4 in this volume); "Politics, Persuasion and the People before the Social War (150–90 BC)," *JRS* 76 (1986): 1 (chapter 5 in this volume).

6. P. A. Brunt, "The Role of the Senate in the Augustan Régime," *CQ* 34 (1984): 423.

7. See R. Syme, "Tacitus: Some Sources of His Information," *JRS* 72 (1982): 68.

8. Velleius 2, 121, 1; Suetonius, *Tib.* 21.

9. J. H. Oliver and R. E. A. Palmer, "The Text of the Tabula Hebana," *AJPh* 75 (1954): 225, on pp. 248–49.

10. F. Millar, "The Emperor, the Senate and the Provinces," *JRS* 66 (1966): 156 (chapter 11 in this volume).

11. K. Erim, "A New Relief showing Claudius and Britannia from Aphrodisias," *Britannia* 13 (1982): 277. See R. R. R. Smith in *JRS* 77 (1987): 88.

12. Z. Yavetz, "The Res Gestae and Augustus' Public Image," in F. Millar and E. Segal, eds., *Caesar Augustus: Seven Aspects* (1984), 1, on pp. 14–20.

13. E.g., T. P. Wiseman, *TLS*, August 24, 1984, 950; J. J. Paterson, *G&R* 32 (1985): 92–93; A. Wallace-Hadrill, *JRS* 75 (1985): 248–49.

14. J. González and F. Fernández, "Tabula Siarensis," *Iura* 32 (1981, app. 1984): 1; J. González, "Tabula Siarensis Fortunales Siarenses et Municipia Civium Romanorum," *ZPE* 55 (1984): 55. Cf. also J. Arce, "Tabula Siarensis; primeros comentarios (I)," *Arch. esp. de arqu.* 57 (1984): 149; J. González, "Addenda et corrigenda," *ZPE* 60 (1985): 146. See now *AE* 1984, 508.

CHAPTER SIXTEEN

The Roman City-State under the Emperors, 29 B.C.– A.D. 69



This chapter must begin with a confession. I have always felt unsure as to how we should approach the central narrative of events in Rome in the first century and a half of imperial rule. Whose history should we be attempting to write? That of the successive emperors? Of the Senate in its new situation? Of the population of Rome? Of the wider body of Roman citizens? Or of all the peoples whom Rome ruled or had contact with? In particular, I find Tacitus' *Annales* profoundly unsatisfying. For a start, we must ask why he made the deliberate choice to call the work *Annales*, as he does: "But let no one compare our *Annales* with the writing of those who recounted the ancient deeds of the Roman people."¹ We will come back to this comparison later, for the frame of reference which is implied is fundamental to the historical writing of the early Empire. But it was also a deliberate choice, as is implied by the title *Annales*, to structure the work by years, and to introduce at the beginning of each year the names of the annual pair of *consules ordinarii* (by whom the year was dated). As regards the history of what we call the Republic, there had been a good reason for this: for it was the two consuls, during their year of office, who commanded the two main Roman armies; in other words it was they who expanded, or failed to expand, the *imperium* of the Roman people. But in spite of this, even in the Republic itself, the idea of writing "annalistic," year-by-year history could seem inadequate, mere chronicling without proper analysis of intentions and reasons. Precisely this view had been expressed by Sempronius Asellio in the preface to the *res gestae* which he wrote in the second half of the second century B.C. But we can encounter his words now only because they were quoted by Aulus Gellius, writing in the middle of the second century A.D.²—and thus only a few decades after Tacitus had finished his *Annales*. In short, a highly educated senatorial orator, like Tacitus, writing in the earlier second century, must have known that it might seem oddly old-fashioned to write "annalistic" history.

So, to call the work *Annales* was a deliberate choice, and a very paradoxical one. For the consuls of the imperial period did not lead

armies, but held office in Rome, and usually not even for the whole year. One thing they did do was to preside in the Senate. As to what else they did, the evidence now available shows, for instance, that they gave jurisdiction and dealt with contracts for public revenues and expenditures. But if they were ever, like Domitius Corbulo or Iulius Agricola, to get the chance to command armies, it was after their consulship, sometimes long after, and only when appointed by an emperor. Their campaigns when in their provinces could extend over several years.

So choosing to write *Annales* was a controversial decision for a senator of the early second century, and one which, as Tacitus himself found, caused various difficulties: in some years, as he complains, nothing much happened in Rome;³ in other periods campaigns on the frontiers did not really make sense if divided up year-by-year.⁴ These are some of the reasons why I have always found it hard to discern what the purpose and subject of Tacitus' *Annales* really is. But one aspect of how the work is constructed is clear, and has become incomparably clearer as a result of dramatic recent discoveries of new evidence. That is that, to a quite extraordinary extent, the narrative of events in Rome which Tacitus presents is built up from a chain of scenes in the Senate. This was argued in a splendid article by the late Sir Ronald Syme, published when its author was a mere 79.⁵ It is clear throughout the *Annales* how Tacitus has followed in detail the sequence of exchanges and speeches in the Senate; what is more, as has long been known, he has edited and re-written the original speeches for insertion in his own narrative. I hardly need to refer to the two classic cases where we have both at least some of the original text and also its representation, or re-presentation, by Tacitus: I mean, of course, Claudius' speech about the right of prominent Roman citizens from Gaul to seek senatorial rank, of which we have the original text on the famous inscription from Lyons;⁶ and the debate on the conferment of honours on Pallas, from which Pliny the Younger quotes verbatim.⁷ In the former case, both the text of Claudius' actual speech and Tacitus' version of it represent something very characteristic both of the ideology of first-century Rome and of our means of access to it. That is, the use of the republican past, its history, its institutions, and its values, as a frame of reference for debates about the present. When we encounter these debates as represented by Tacitus, of course, we are ourselves engaging in a sort of multi-level dialogue: there is our engagement with Tacitus' text; his engagement with the oratory of the emperor and the Senate in the

Julio-Claudian period; and their engagement with the institutions and values of the Republic as they understood them. I will mention only two further examples: the speech by Cremutius Cordus in *Annales* 4 on the tradition of free speech in Roman historiography;⁸ and the debates in *Annales* 3 on the rules relating to the Flamen Dialis.⁹

The Senate is therefore the main stage on which the action recorded in the *Annales* of Tacitus takes place, and the question which Tacitus poses is above all the following. How did the senators conduct themselves in the shadow of autocracy? Some responded to the new political structure by adulation, or by self-interested accusations directed against other senators; but others did so by self-conscious adherence to traditional standards, or by an unyielding attachment to liberty (*libertas*), meaning both dignity of conduct and freedom of speech. The best analysis of this theme is still, in my view, Chaim Wirszubski's book *Libertas*, published in 1950.¹⁰

As we will see later, recent evidence gives us very clear and specific reasons for thinking that Tacitus' concentration on the Senate is excessive. For we can now see, much more clearly than before, how the Senate was only one element in a much wider context, even if we think only of Rome and its inhabitants. Firstly, there are the very complex institutions of the *res publica* itself, or what I have called in the title "the Roman City-State." It is a strange paradox, but I think a real one, that as a result of both new and not-so-new discoveries, we now know more about the working of the *res publica* under the emperors than we do for the Republic proper.

Then, because Roman public life really was public and took place almost entirely in the open air, we have to think of the topography of the city of Rome itself and, above all, of its public buildings and public spaces, of the functions performed by them, and of the meanings and associations attached to them. Some of these buildings and designated spaces were centuries old, like the Circus Maximus, the temple of Iuppiter on the Capitol, or the Campus Martius, in its role as a meeting place for the assembly, or of course the Forum Romanum itself. But the huge building programmes which had been undertaken from the late Republic onwards, from wholly new building to re-structuring or renovation, had transformed the centre of the city, and with that the very contexts in which the business and communal life of the *res publica* was conducted. We have only to think of the theatres of Pompey and Marcellus, the temple of Divus Iulius in the Forum Romanum, the Forum of Caesar with the temple of Venus

Genetrix, or the Forum of Augustus with the temple of Mars Ultor.

The monumental centre of Rome does, of course, play a significant part in Tacitus' narratives, for instance in the *Historiae*, in his powerful accounts of the last hours of both Galba and Vitellius, or of the burning of the Capitol in December 69, and its subsequent restoration.¹¹ But we also find the major buildings of Rome forming the subject of debates and exchanges in the Senate, as represented in Tacitus' narrative, for instance under A.D. 22, when Lepidus asked permission to restore at his own expense what Tacitus calls "the Basilica Pauli, Aemilia monumenta." The reference is to the massive basilica on the north side of the Forum Romanum which is normally known as the "Basilica Aemilia." What it should properly be called is the subject of heated debate among moderns, not worth entering into now.¹² As Tacitus says, Lepidus was setting out deliberately to live up to the tradition of his family's munificence; by contrast, since there was no member of the family to do it, it was Tiberius who promised to restore the theatre of Pompey. He took the occasion, when speaking in the Senate, to praise the services and vigilance of Sejanus, and the Senate duly voted that a statue of Sejanus should be set up in the theatre.¹³

That vote reflected another new feature of senatorial business, and one which had only entered the standard repertoire of senatorial debates in the very late Republic, and then the Caesarian and Triumviral period. This was the emphasis on formal, public marks of honour, usually in both visual and written form (for we can be quite certain that the base for Sejanus' statue will have borne an inscription in his honour). The elaboration of visible forms of honour for emperors themselves, and their families, hardly needs emphasis here. Equally, the forms of self-representation—or of representation by others—which were now open to senators were the subject of a brilliant chapter by Werner Eck published in 1984.¹⁴ But what needs stressing is the self-conscious awareness in early imperial culture of the potential ideological significance of forms of publicly inscribed writing. *Annales* 3 offers a perfect example. When Tiberius wrote to the Senate to ask for a vote of the tribunician power for Drusus, adulatory votes of statues, altars, temples, and arches were merely a routine response. But one senator went further and proposed that monuments should from now on bear the names not of the consuls but of the holders of the tribunician power; and another went too far, in suggesting that the texts of the decree of the Senate passed that day

should be put up in golden letters in the Curia.¹⁵ We shall see that a self-conscious attention to memorialisation in the form of carefully displayed public writing was not in itself an aberration but was precisely an innovation which was entirely characteristic of the imperial age.¹⁶ So too was the placing of honorific statues. Thus under A.D. 23 a brief sentence in the *Annales* records that the Senate voted that Lucilius Longus should receive a *ensorium funus* (public funeral appropriate to a censor) and a statue in the Forum of Augustus, both at public expense.¹⁷ That was one sign of the re-shaping of the topography of public space in the centre of Rome. We see this much more clearly, however, at the death of L. Volusius Saturninus in 56. Tacitus, in recording this, notes only the good reputation which Volusius had preserved through his ninety-three years. But the damaged inscription recording his posthumous honours, found at the family villa at Lucus Feroniae, reveals a whole new, or almost new, topography of public honour.¹⁸ The Senate had voted a public funeral, with the provision that *vadimonia* (pledges to appear in court) for that day should be postponed; then there were to be three triumphal statues, a bronze one in the Forum of Augustus, and two marble ones in the “new” temple of Divus Augustus; also three “consular” statues, one in the temple of Divus Iulius, one in the Palatium, and a third in the forecourt (*area*) of (the temple of) Apollo, within view from the Curia (meaning where the Senate now often met, at the temple of Apollo on the Palatine); next, there was to be a statue of him in augural dress at the Regia; then a mounted statue near the Rostra; and finally one of him seated on his official seat, to be placed in the Portico of the Lentuli, beside the theatre of Pompey.

Almost all the architectural features mentioned had come into existence in the previous hundred years. Nor is it the case that, as we might expect, these new monumental elements were just that, with no significance for the operations of society or government. The opposite is shown by unexpected evidence, namely the wax tablets from Murecine recording business affairs at Puteoli in the middle of the first century A.D. Now properly edited by G. Camodeca, these documents record a whole series of *vadimonia* given by parties to legal proceedings who are due to go to Rome to appear before the praetor.¹⁹ As usual, old and new elements combine. Another text which Camodeca has re-edited in the same volume shows that the urban praetor would still put up his edict in the old Forum, “under the Porticus Iulia, in front of his tribunal.”²⁰ But all of the actual *vadimonia* are for appearances at different sections of the Forum of

Augustus, each identified by its most prominent monumental element: “at Rome in the Forum Augustum before the triumphal statue of Cn. Sentius Saturninus, at the fifth hour;” “in front of the altar of Mars Ultor;” “before the statue of Gracchus at the column nearest to the steps;” “before the statue of Diana Lucifera, at column X.” Here we go beyond the monuments themselves, to catch a glimpse of the open-air functioning of the administration of justice as it affected the man in the street, and indeed (potentially) in the streets of all the small towns of Italy. The public space in question was a new one, opened only a few decades earlier, and the different parts of it were distinguished by the honorific statues which stood there.

This routine jurisdiction by annual office-holders, which was essential to the working of society, only surfaces occasionally in literary sources, and usually when an emperor is in some way involved. Thus, early in his reign, so Tacitus says, Tiberius would take his seat on the praetor’s tribunal, but at the far end of it, so as not to displace the magistrate from his curule seat; as a result, the verdicts issued gave less weight to influence and the pleas of the powerful.²¹ But emperors too followed the model of the roles fulfilled by the annual republican magistrates and made a point of taking their seats in public to give jurisdiction. While he was giving justice in the Forum in 51 Claudius was assailed by a crowd complaining of the price of corn, and only just escaped via the nearest door to the Palatine.²² This was of course the old Forum, the Forum Romanum. But he might do the same in the new Forum Augustum. Suetonius tells the splendid anecdote of how, when Claudius was giving justice there, he was powerfully attracted by the smell of a banquet which was being set out for the college of priests called the Salii in the nearby temple of Mars (Ultor); so he quitted the tribunal, mounted to the temple, and reclined along with the priests for the meal.²³

The custom of the Salii dining together was presumably ancient—but we have to be careful, for another feature of the history of the Roman *res publica* is that a very large proportion of what we are told of its early history and institutions in fact comes from sources written under the emperors (think of the *Fasti* of Ovid for a start). I cannot pursue this topic here, nor go into the complex and varied forms in which civil and criminal jurisdiction actually operated in Rome in the early Empire. It is in fact only now, with the publication of the tablets from Puteoli, and also from reading the Flavian municipal law, of which a large new section was published in 1986, that we can begin

to see what we call “Roman law” actually functioning in the classical period itself. It is of some significance that the Flavian municipal law, known from inscribed bronze tablets of Domitian’s reign, found in Spain, repeatedly refers back to the procedures for jurisdiction in Rome.²⁴

I must leave that topic, not least because I am still too confused myself as to how the various elements of jurisdiction in Rome in the first century really functioned. But in thinking of the routine of jurisdiction we are extending our attention to the citizens of the *res publica*: “citizens” in one sense means the population of the city itself; in another, it includes all the adult males in Italy; and, in another, not only them but all those outside Italy who enjoyed the Roman citizenship. Citizens from the provinces were still relatively few. But there were now Roman colonies in the provinces, and one of the really important revelations provided by new documents comes from the *Tabula Siarensis*, a bronze tablet from Baetica recording the public commemoration of Germanicus after his death in 19. For in this document the Senate advises the consuls to put up a text of its decree, and instructs the ambassadors of the *municipia* (cities with Roman-style constitutions) and colonies to copy it and to send it “to the *municipia* and colonies of Italy, and to those colonies which are situated in the provinces.”²⁵ Italy was now in some respects something like a nation-state, with citizen off-shoots in the provinces. In other respects, what still mattered most, and what in a real sense constituted the active citizenry of the *res publica*, was the population of Rome. All Roman citizens, wherever they lived, belonged in principle to one or other of the ancient thirty-five tribes. But inscriptions put up in Rome in honour of Germanicus and Drusus in A.D. 23 could represent the source of these honours as being “the urban plebs of the 35 tribes,” as if the two categories were essentially identical.²⁶ Tacitus himself was of course to begin his *Annales* with the words “*Urbem Romam*,” and there was a real sense in which the essential subject of Roman history could still be seen as the city, its institutions, and its people: in short, as the history of a strange and anomalous sort of city-state, which on the one hand had extended its citizenship to all of Italy and beyond, and on the other ruled a great empire. But the most marked anomaly was of course that this city-state was now itself ruled by an emperor, and all of its complex institutions were transformed by that fact. But yet it is absolutely clear from contemporary documents, including the *Tabula Siarensis*, that in formal terms the Roman Empire was still seen “as the *imperium* of the Roman people.”²⁷ Augustus himself embodied

this conception in his *Res Gestae*: “I added Egypt to the *imperium* of the Roman people.”²⁸ It is also the case, as we shall see soon, that new evidence brings out, in a way which had not been clear before, to what extent popular participation—and popular voting—was still essential to the way that the *res publica* worked. To call it a “city-state” is certainly to beg many questions. But it does serve to do two things: to direct attention to public institutions other than the Senate itself; and to stress the power and importance of popular reactions to events in Rome. The “history” of Rome in the Empire, as under the Republic, is, or should be, the history of a whole community.

This element, the population of the city of Rome, is of course vividly present from time to time in Tacitus’ narrative. In one particular respect, however, both in Tacitus’ narrative and in other accounts, there is a new feature which was missing from the Republic: the presence of soldiers stationed in the city, and with that is the capacity of the state to control or repress popular reactions by force. The role of military forces in Rome is heavily marked in the first few pages of the *Annales*: for instance, the watchword given to the praetorian cohorts, a guard stationed at the Palatine, soldiers escorting Tiberius to the Forum and the Curia. Then, after an edict from Tiberius warning the people not to demand that Augustus, like Divus Iulius, should be cremated in the Forum rather than the Campus Martius, came the day of Augustus’ funeral itself, with soldiers acting, as Tacitus says, like a garrison. After the long years of the first reign, Tacitus alleges, some people commented that military protection was hardly needed to ensure that his funeral would be peaceful.²⁹

None the less, as the narrative progresses, Tacitus comes to a number of different occasions where crowd reactions, even violent ones, are significant. Even here, however, he is selective. If I may digress for a moment, it is odd how little use we make, in analysing the Julio-Claudian period, of a vast range of evidence in the *Naturalis Historia* of Pliny the Elder, who was born in the 20s, and finished his work in the 70s, long before Tacitus. Out of a vast store of material I pick out a couple of stories, both from around the time of Pliny’s birth. First, there is the anecdote of the raven which was hatched on the roof of the temple of Castor and Pollux on the Forum, and which then attached itself to a cobbler’s shop in the vicinity, and which learned to talk; each morning it would fly down to the Rostra and salute by name Tiberius, Germanicus, and Drusus, and then the Roman people on its way past. When it was killed, as a result of a

dispute between its owner and a neighbour, its killer was driven out, and the bird's funeral was celebrated by a vast crowd, with two Ethiopians carrying the coffin, and a trumpeter going in front. The body was burned on a pyre on the Via Appia.³⁰ Then, from a few years later, A.D. 28, comes the story of the loyal dog which belonged to a man who was executed because he was a friend of Nero, the son of Germanicus. The dog followed his master to the prison (*carcer*) and still persisted when he was cast down the Gemonian Steps; finally, when the body was thrown into the Tiber, the dog swam after it, "while a crowd poured out to witness the *fides* [loyalty] of the animal."³¹ These stories give a much deeper impression of popular feeling, and of popular attachment to members of the imperial family, than anything in Tacitus. So they serve to prepare us for Tacitus' report from A.D. 29 of how, when a letter from Tiberius attacking Agrippina the elder and her son Nero was read in the Senate, a crowd carrying images of these two surrounded the Senate, praising the emperor, and shouting that the letter was a forgery, and that the attack on the house of Germanicus was being made without his knowledge.³² The crowd reappears, as a passive witness or an active participant, at quite a number of points in Tacitus' narrative. In 62, for instance, popular protests seemed momentarily to have prevented Nero's divorce of Octavia and his marriage to Poppaea. The people rejoiced, went up to the Capitol and offered worship to the gods. They threw down images of Poppaea, bore statuettes of Octavia on their shoulders, decked them with flowers, and placed them in the temple. Crowds had even filled the Palatium, when units of soldiers were sent out to disperse them, and Poppaea was restored to her position.³³

But of all the scenes in which Tacitus reflects the force of popular feeling, the most powerful is the account of the news of the death of Germanicus in Syria in A.D. 19, the subsequent arrival of his ashes, brought by his widow Agrippina, and in the next year the trial of Cn. Piso on a charge of treasonable actions against him, culminating in his murder. For anyone who was in Britain in the first week of September 1997, it is absolutely impossible now to read this narrative without thinking of the death of Diana, Princess of Wales, of the enormous popular reaction, of the way in which everything closed on the day of the funeral, of the *laudatio funebris* (funeral oration) which, for good or ill, was heard by more people than any other in the history of the world, of the tens of millions of flowers which were laid not just at the royal palaces but at sites all over the country, and of the several million people who lined the route on the day of the funeral. There

was also a darker note, the widespread suspicion that at the very centre grief was not felt with the same intensity as it was on the streets.³⁴

So it is, with of course even darker overtones, in the pages of Tacitus in book 2 of the *Annales*. News comes that Germanicus is ill, and rumours circulate of foul play: for he, like his father Drusus, had been put out of the way because they had thought of restoring equality and liberty to the *populus Romanus*. “This popular talk was so inflamed by the actual news of his death, that before the edict of the magistrates, before the decree of the Senate, by the spontaneous adoption of a *iustitium* [a cessation of all public business], the forums were deserted, and houses closed.”³⁵

Then Tacitus comes in a single paragraph (2, 83) to the posthumous honours for Germanicus which were now thought up and *decreti*—the word implies that they were voted specifically by the Senate. We will come back to this passage, for it is here, in the light of the Tabula Siarensis, that the limitations of Tacitus’ account begin to show up. He then goes on, in book 3, to describe the events of the following year, when huge crowds of mourners awaited Agrippina at Brundisium when she arrived with Germanicus’ ashes, and filled every town along the route, weeping and offering sacrifices. Germanicus’ adoptive brother Drusus and his real one, the future emperor Claudius, along with Germanicus’ children, met the cortege at Tarracina. The two consuls of A.D. 20, and “a large part of the people [of Rome]” also came out along the road. Tiberius and Livia did not, and nor did Germanicus’ mother Antonia, for reasons which Tacitus could not discover. Then came the funeral:³⁶

The streets of the city were crammed, torches blazing across the Campus Martius. There were the soldiers in arms, the magistrates without their insignia, the people arranged by tribes—they shouted that the *res publica* had fallen, that there was no hope left, so vigorously and openly that you would think they had forgotten their rulers. Nothing, however, pained Tiberius more than the feelings of the people inflamed in support of Agrippina. They called her the glory of the *patria*, the sole descendant of Augustus, the only representative of ancient values. Turning to the heavens and the gods, they prayed that her children would be safe, and survive their enemies.

Perhaps I can leave this all too loaded narrative there, except just to note Tacitus’ account of popular comparisons of the funeral of Germanicus with the much more elaborate and traditional one which

had been accorded to his father Drusus—and to mention the excellent book by Harriet Flower, published in 1996, on ancestor masks and their role in Roman society.³⁷ Tacitus' account concludes with Tiberius' edict urging the people to restrain their grief, as not being in accordance with Roman tradition, and to resume normal life.³⁸

Later, Tacitus comes to Piso's leisurely return to Rome, and his trial in the Senate, on a charge of the murder of Germanicus, and of a whole series of treasonable acts, committed while Germanicus was on a special mission to settle affairs in the Eastern provinces, and Piso was the regular governor (*legatus*) of Syria.³⁹ Here too, a popular reaction is recorded during the proceedings. A crowd surrounded the Curia, and shouted that they would not keep their hands off Piso if the Senate did not condemn him. In a typical use of symbolism, they took statues of Piso to the Gemonian Steps and would have smashed them but for the intervention of the emperor.⁴⁰

Before the trial reached a conclusion, Piso committed suicide. Tacitus' narrative then devotes several paragraphs to subsequent senatorial debates, directed to dissociating his widow, Plancina, and his two sons from their father's alleged crimes, and to preserving their status.⁴¹

These two separate stages in the events which took place in Rome in the aftermath of the death of Germanicus are the two moments which are now illuminated, in a quite remarkable way, by new documents. The two stages are, firstly, the votes of the Senate in December A.D. 19, following on the arrival of the definitive news of his death; and, secondly, the debates in the Senate which took place after Piso's suicide, and a year later, in December A.D. 20.

It would take volumes to explore the significance of the two texts concerned for both the institutions and the ruling ideology of the early Principate. In a quite real sense our study of the period has to begin all over again, and what is said here touches only on a few salient points, which do however really tell us something new about what "the Roman city-state under the emperors" was. For the documents not only fill in a mass of detail about the working of the *res publica*—the communal institutions of Rome—under Tiberius, and the way in which these were being affected by the existence of an emperor. They also show that Tacitus' picture of events simply leaves out the constitutional role which was still exercised by the Roman people. We like to think of Britain as a democracy, and beyond doubt it was popular feeling which dictated the form and the extent of public

mourning in Britain in September 1997. But there was no place, before death or after, for actual voting by the people.

Rome on the other hand was, as it may seem, an autocracy, tempered to some extent by republican traditions and values as maintained by the Senate. But in Rome, as we now know, both the position which Germanicus occupied at the time of his death and the honours for his memory which were decided on posthumously were the subject of *leges* (laws) put to the people and voted on by them.

The first of the two documents, that of December A.D. 19, is a single incomplete text, which is preserved, apart from a few fragments, in two quite separate inscriptions, discovered in different countries several decades apart. The last sixty-two lines of the text are found on the bronze tablet known as the Tabula Hebana, found in Tuscany, and published in 1947. The bulk of the earlier part comes from the Tabula Siarensis, namely fragments of a bronze tablet found in Andalusia, the Roman province of Baetica, and first published as a coherent text in 1984. An overlap of a few lines makes it certain that the two main *inscriptions* contain large parts of what was originally a single *text*. It was this which, as we saw earlier, was issued from Rome to the cities of Italy and the *coloniae* of the provinces. It was also to be put up “in as prominent place as possible” by the provincial governors.⁴²

It is rather remarkable that it was a whole twelve years after the publication of the first full text of the Tabula Siarensis⁴³ before anyone published a combined text of both the two main inscriptions and the fragments. This is now available, along with an English translation, in the major work edited by Michael Crawford, *Roman Statutes*.⁴⁴ But there has still been no full study of the combined text of some 150 lines. Along with the composite decree of the Senate embodying the various votes of the Senate after Piso’s death, to which we will come in a moment, it represents by far the best evidence which we have for the public ideology, the rhetoric, and the evolving institutions of the early Empire.

Only a few features of the text can be underlined here: the self-conscious emphasis on the propagation of the approved public ideology through the putting-up of written texts, in Rome, Italy, and the provinces; the new political and ceremonial topography of Rome, with the “tumulus,” which we call the Mausoleum, the temple of Apollo on the Palatine, where the Senate now regularly met, the temple of Mars Ultor, and the as yet unbuilt temple of Divus Augustus;

the new elements of the religious calendar, with the *Ludi Augustales*, instituted in A.D. 14; the new role of the *equites* belonging to the *decuriae* (panels) of jurymen, who now had a place in the constitutional order, voting in the centuriate assembly in new centuries along with the senators. I will not dwell on the details concerning voting. It is enough to mention that the Tabula Hebana confirms what we knew anyway from Pliny the Younger and Cassius Dio, that meetings of the assemblies for voting in elections continued through the Julio-Claudian period, and indeed long after it.⁴⁵ When Tacitus wrote baldly that in A.D. 14 “the elections were then for the first time transferred to the *patres* [the Senate],”⁴⁶ he was referring to the practice of arranging a single list of names to go before the people. But the vital *principle* remained in force, that public office could only be conferred by a popular vote.

The Tabula Hebana had already revealed, half a century ago now, that the new voting arrangements set up in A.D. 19 to commemorate Germanicus had been modelled on those instituted in A.D. 5 to commemorate Gaius and Lucius. The formal procedure then had been a law, a *lex*, which had been put to the people by the consuls of that year: “in conformity with the law which Lucius Valerius Messalla Volesus [and] Gnaeus Cornelius Cinna Magnus carried.”⁴⁷ Thus in A.D. 5 a change in the constitution had required the passing of a law by the people meeting in their assembly. So it would again in A.D. 19/20, after Germanicus’ death. But you would not know this from Tacitus’ narrative. If we go back to the relevant chapter (2, 83), we find that he gives a quite detailed summary of many of the steps which we can now see as attested in a contemporary document. But two vital aspects are missing: firstly, there is no reference in Tacitus to the new voting arrangements; and, secondly, all the honours are represented as being voted (*decreti*) by the Senate. But this picture is incomplete. One of the most striking features of the Tabula Siarensis is that it shows that in December 19 the Senate formally advised the incoming consuls of A.D. 20 to incorporate all the steps taken in a law which should be put without delay to the people:⁴⁸

That M. Messalla and M. Aurelius Cotta Maximus, the consuls designate, when they had entered office—on the first occasion as far as the auspices allow—without giving notice of two or three *nundinae* [three eight-day periods], should see that a statute on the honours for Germanicus Caesar be presented to the people.

No such law appears in Tacitus’ account of the year 20; for him the

decisions of the Senate were enough.

Exactly the same point is brought out by the inscribed record which contains a consolidated, or composite, version of the various votes of the Senate passed a year later, in December A.D. 20, and after the suicide of Piso. This text, much better preserved, and in a number of different copies, has been the subject of an exemplary edition, with German translation and historical commentary, by Werner Eck, Antonio Caballos, and Fernando Fernández.⁴⁹ Here too there are endless revelations concerning (for instance) the sycophantic public rhetoric of the period, the topography of Rome, the early history of the *fiscus* (the emperor's treasury), the conduct of funerals and the role of *imagines* (portraits), the importance attached to inscriptions, the administration of justice, and the role of the praetors who then managed the Aerarium, the public treasury in Rome. But I will leave all that aside, to focus on another aspect in which Tacitus' narrative is revealed to be incomplete. In his account of the year 17, Tacitus had recorded that by the *decretum* (decree) of the Senate Germanicus had been entrusted with the provinces "which are divided by the sea" (that is, the eastern provinces), and also had been granted an *imperium* superior to that of the governor in any area which he visited.⁵⁰ But, as the new text now shows (ll. 29–30), that was not the whole story. The initiative for the appointment of Germanicus to his eastern mission had indeed come from Emperor and Senate: Germanicus "had been sent by our princeps on the *auctoritas* of this *ordo* [the Senate] to put in order the condition of transmarine affairs." Piso ought therefore to have seen himself, in his role as legate of Syria, as being a helper (*adiutor*) of Germanicus. But instead he had neglected not only the *maiestas* of the Domus Augusta but also the *ius publicum*, the public law. For he had been subordinated to Germanicus in his role and status as proconsul, and not just as any proconsul, but as one invested with special powers by a law:⁵¹

To that proconsul, concerning whom a law [*lex*] had been put to the people to the effect that, to whatsoever province he came, he should possess a superior *imperium* to him who governed that province *pro consule*, given that in all matters a greater *imperium* should attach to Tiberius Caesar Augustus than to Germanicus Caesar.

This last provision beautifully confirms the reality of the tensions which marked the imperial house in the 20s of the first century. Other aspects of the law are puzzling—why did it refer only to governors *pro consule*, and how did it apply to someone like Piso, who was not a

proconsul but a *legatus*? But these are minor points compared to the essential. Both of the two new texts reveal as never before that there was still a *res publica*, in which, in a certain formal sense, the sovereign was the Roman people. One could describe the Roman system of the first century as an autocracy, as an empire, as a constitutional monarchy, as a nation-state, as a city-state, as a *res publica*, even as a sort of democracy, in which constitutional power could only be conferred by the votes of the people. Few political systems have been quite so complex a mixture of old and new, autocratic and popular, monarchic and communal. I am not arguing that within the Roman system of the first century A.D. the people still had any real power to choose—and, in any case, when Germanicus' son Gaius was murdered in A.D. 41, the people were to show unambiguously that they wanted an emperor.⁵² But I am arguing that, in a formal sense, legislation, constitutional change and the occupation of office all still required validation by a vote of the people. I am also arguing that Tacitus' concentration on the effective votes in the Senate does tend to obscure this aspect of what the Roman *res publica* now was. Reading Tacitus is still essential. But we can now go beyond, or behind, his narrative to encounter new Latin texts which we can call “documents,” but which are also powerful evocations of contemporary oratory. Far from being objective reports, they are literary constructions in themselves, and no less so for being inscribed on bronze tablets. It is these remarkable, and in many ways profoundly repellent, texts expressing the official version of the relationship between the *res publica* and the imperial house, which should now provide our starting point in studying the Roman city-state under the emperors.

NOTES

*First published in F. Muecke, ed., *Sidere mens eadem mutato: The Todd Memorial Lectures, 1976–1997*, Prudentia Supp. (1998), 113–34. I am very grateful to the University of Sydney for the honour of being invited to give this paper as the Todd Memorial Lecture, delivered on 17 November 1997, and to Princeton University, where it was given as the Magie Lecture on 24 March 1998. It represents the text of the lecture as given, with the addition of a few footnotes containing essential references. There is a mass of further evidence, old and new, relating to the *res publica* of the first century A.D., and I hope to return to the topic in more detail elsewhere.

1. *Ann.* 4, 32, 1: “sed nemo annales nostros cum scriptura eorum contenderit, qui veteres populi Romani res composuere.”

2. Aulus Gellius, *Noct. Att.* 5, 18.

3. See, e.g., *Ann.* 13, 31, 1: “In the year in which Nero was consul for the second and L. Piso for the first time few things worth recording occurred, unless it pleases one to fill volumes with the praise of the foundations and beams of the huge amphitheatre which Caesar constructed on the Campus Martius; for it has been judged fitting the *dignitas* of the Roman people that illustrious deeds should be assigned to *Annales*, whereas the aforementioned events to the daily journal of the city.”

4. See, e.g., *Ann.* 14, 29, 1.

5. R. Syme, “Tacitus: Some Sources of His Information,” *JRS* 72 (1982): 68 = *Roman Papers* IV (1988), 199.

6. The Tabula Lugdunensis, *ILS*, 212; *Ann.* 11, 23–25. See esp. M. T. Griffin, “The Lyons Tablet and Tacitean Hindsight,” *CQ* 32 (1982): 404.

7. Pliny, *Epp.* 7, 29 and 8, 6 (verbatim quotations found in paras. 6–7 and 13); *Ann.* 12, 53.

8. *Ann.* 4, 34.

9. *Ann.* 3, 58–59; 71.

10. Ch. Wirszubski, *Libertas as a Political Idea at Rome during the Late Republic and Early Principate* (1950).

11. *Hist.* 1, 39–42 (Galba); 3, 67–68; 84–86 (Vitellius); 3, 70–72; 4, 53 (Capitol).

12. See E. M. Steinby, “Il lato orientale del Foro Romano,” *Arctos* 21 (1987): 139; E. Carnabucci, *L’angolo sud-orientale del Foro Romano nel manoscritto inedito di Giacomo Boni* (1991); T. P. Wiseman, “Rome and the Resplendent Aemilii,” in H. D. Jocelyn, ed., *Tria Lustra* (1993): 181; *LTUR* I (1993), s.vv. “Basilica Aemilia”; “Basilica Fulvia.”

13. *Ann.* 3, 72.

14. W. Eck, “Senatorial Self-Representation: Developments in the Augustan Period,” in F. Millar and E. Segal, eds., *Caesar Augustus: Seven Aspects* (1984), 129 = W. Eck, *Tra epigrafia, prosopografia e archeologia* (1996), 271.

15. *Ann.* 3, 57.

16. See esp. G. Alföldy, “Augustus und die Inschriften: Tradition und Innovation. Die Geburt der imperialen Epigraphik,” *Gymnasium*

98 (1991): 289, and *Studi sull'epigrafia augustea e tiberiana di Roma* (1992).

17. *Ann.* 4, 15, 1–3.

18. *Ann.* 13, 30, 4. For the inscription, see esp. W. Eck, “Die Familie der Volusii Saturnini in neuen Inschriften aus Lucus Feroniae,” *Hermes* 100 (1972): 461, and S. Panciera in M. T. Boatwright et al., *I Volusii Saturnini: una famiglia romana della prima età imperiale* (1982), 83–84.

19. G. Camodeca, *L'archivio puteolano dei Sulpicii I* (1992).

20. *Ibid.*, 49.

21. *Ann.* 1, 75, 1; see Suetonius, *Tib.* 33.

22. *Ann.* 12, 43, 2; Suetonius, *Div. Claud.* 18.

23. Suetonius, *Div. Claud.* 33.

24. J. González, “The Lex Irnitana: A New Copy of the Flavian Municipal Law,” *JRS* 76 (1986): 147. The three main texts are printed separately in J. González, *Bronces jurídicos romanos de Andalucía* (1990): 51–52 (Irnitana); 101–2 (Salpensana); 111–12 (Malacitana).

25. For the Tabula Siarensis, see nn. 41–42. The section quoted is fr. (b), col. II, ll. 23–24.

26. *ILS*, 168 (Drusus); 176 (Germanicus). See esp. C. Nicolet, “Plèbe et tribus: les statues de Lucius Antonius et le testament d’Auguste,” *MEFR(A)* 97 (1985): 799.

27. F. Millar, “Imperial Ideology in the *Tabula Siarensis*,” in J. González, ed., *Estudios sobre la Tabula Siarensis* (1988), 11.

28. *RG* 27.

29. *Ann.* 1, 7–8.

30. Pliny, *NH* 10, 60/121–22.

31. Pliny, *NH* 8, 68/145.

32. *Ann.* 5, 3–4.

33. *Ann.* 14, 60, 6–61, 2.

34. For the comparison, see the illuminating remarks by Jasper Griffin and Miriam Griffin, “Show Us you Care, Ma’am,” *New York Review of Books*, 9 October 1997, 29, and in *Omnibus* 35 (January 1998): 1.

35. *Ann.* 2, 82, 1–4.

36. *Ann.* 3, 1–4. The passage quoted is chap. 4.

37. *Ann.* 3, 5; H. Flower, *Ancestor Masks and Aristocratic Power in Roman Culture* (1996).

38.*Ann.* 3, 6.

39.*Ann.* 3, 9–18.

40.*Ann.* 3, 14, 5–6.

41.*Ann.* 3, 16–18.

42. Fr. (b), col. II, ll. 26–27, trans. Crawford.

43. J. González, “Tabula Siarensis, Fortunales Siarensis et Municipia Civium Romanorum,” *ZPE* 55 (1984): 55; *AE* 1984, no. 508; González (n. 24), no. 11.

44. M. H. Crawford, ed., *Roman Statutes* I–II (1996), nos. 37–38 (vol. I, pp. 507–43).

45. Pliny, *Pan.* 63, 2: “The Roman people saw you [Trajan] in that ancient seat of its power; you endured that long ritual of the assembly” (Vidit te populus Romanus in illa vetere potestatis suae sede; perpressus es longum illud carmen comitiorum); 92, 3: “we were proclaimed [consuls] by your voice so that for our public honours the same person [yourself] came forward as our sponsor in the Senate house and our returning officer in the Campus” (tua voce renuntiati sumus, ut idem honoribus nostris suffragator in curia, in campo declarator existeres). Cassius Dio 37, 28, 3; 53, 20, 4.

46.*Ann.* 1, 15, 1.

47. E.g., Tabula Hebana, ll. 10–11: “by the law which L. Valerius Messala Volesus and Cn. Cornelius Cinna Magnus carried.”

48. Tabula Siarensis, fr. (b), col. II, ll. 27–9, trans. Crawford.

49. W. Eck, A. Caballos, and F. Fernández, *Das senatus consultum de Cn. Pisone patre*, *Vestigia* 48 (1996). Note also the parallel Spanish edition, A. Caballos, W. Eck, and F. Fernández, *El “senado consulto” de Cne. Pisone padre* (1996). See now also the extended discussion, with an English translation of the text, by M. Griffin, “The Senate’s Story,” *JRS* 87 (1997): 249.

50.*Ann.* 2, 43, 2: “tunc decreto patrum permissae Germanico provinciae quae mari dividuntur, maiusque imperium, quoque adisset, quam iis qui sorte aut missu principis obtinerent.”

51.*Senatus consultum*, ll. 32–35: “neclecta | maiestate domus Aug(ustae), neclecto etiam iure publico, quod adlect(us) pro co(n)s(ule) et ei pro co(n)s(ule), de quo | lex ad populum lata esset, ut in quamcumq(ue) provinciam venisset, maius ei imperium | quam ei, qui eam provinciam proco(n)s(ule) optineret, esset, dum in omni re

maius imperi || um Ti. Caesari Aug(usto) quam Germanico Caesari
esset.”

52. This emerges beyond question from the important narrative account of the murder of Gaius and the steps which led to the accession of Claudius given by Josephus, *Ant. Jud.* 19, 1, 1–4, 6 (1–273). See esp. the discussion, translation, and commentary by T. P. Wiseman, *Death of an Emperor*, Exeter Studies in History 30 (1991).

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ROME, THE GREEK WORLD, AND THE EAST
VOLUME 2



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SOCIETY, & CULTURE
in the
ROMAN EMPIRE

FERGUS MILLAR

EDITED BY HANNAH M. COTTON & GUY M. ROGERS

Studies in the History of Greece and Rome

Robin Osborne, P. J. Rhodes, and Richard J. A. Talbert, editors

Rome, the Greek World, and the East

VOLUME 2

Government, Society, and Culture in the Roman Empire

Fergus Millar

Edited by Hannah M. Cotton and Guy M. Rogers

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Preface

Fergus Millar, Camden Professor of Ancient History in the University of Oxford emeritus, is one of the most influential ancient historians of the twentieth century. Since the publication of *A Study of Cassius Dio* by Oxford University Press in 1964, Millar has published eight books, including two monumental studies, *The Emperor in the Roman World* (Duckworth, 1977) and *The Roman Near East, 31 B.C.–A.D. 337* (Harvard, 1993). These books have transformed the study of ancient history.

In his study of the role of the emperor in the Roman world Millar argued that the reign of Augustus inaugurated almost three centuries of relatively passive and inert government, in which the central power pursued few policies and was largely content to respond to pressures and demands from below. After more than twenty years of scholarly reaction, *The Emperor in the Roman World* is now the dominant scholarly model of how the Roman Empire worked in practice.

Reviewers immediately hailed Millar's magisterial study of the Roman Near East as a "grand book on a grand topic" (*TLS*, 15 April 1994). In this grand book, displaying an unrivaled mastery of ancient literary, epigraphic, papyrological, and archaeological sources in Greek, Latin, Hebrew, Aramaic, and other Semitic languages, Millar made the indigenous peoples of the Roman Near East, especially the Jews, central to our understanding of how and why the three great religions of the book, Rabbinic Judaism, Christianity, and Islam, evolved in a cultural context that was neither "eastern" nor "western." There can be no doubt that *The Roman Near East, 31 B.C.–A.D. 337* will be the standard work on the subject for a long time to come.

More recently, Millar has published two books, *The Crowd in Rome in the Late Republic* (Michigan, 1998) and *The Roman Republic in Political Thought* (New England, 2002), on the politics of the Roman Republic and how those politics have been understood or misunderstood by political thinkers from the ancient world to the present. These books have challenged widely held notions about the supposed oligarchic political character of the Roman Republic. In the future Millar intends to return to the Roman Near East for a study to be entitled *Society and Religion in the Roman Near East from Constantine to Mahomet*. In this study Millar will bring the story of Greco-Roman culture in the Near East from the early fourth century up to the Islamic invasions of the seventh century A.D.

During the same period when he has produced these ground-breaking books, Millar also has published over seventy essays on aspects of Greco-Roman history, from the Hellenistic period until the middle of the fifth century A.D. These essays have laid the foundations for or supplemented the ideas and arguments presented in Millar's very well known books. Some of these essays, such as "The Emperor, the Senate and the Provinces" (*Journal of Roman Studies* 56 [1966]: 156–66), or "Emperors, Frontiers and Foreign Relations, 31 B.C.–A.D. 378" (*Britannia* 13 [1982]: 1–23), have appeared in hitherto accessible journals and are widely regarded as classics of scholarship. But other outstanding essays, such as Millar's study, "Polybius between Greece and Rome" (published in *Greek Connections: Essays on Culture and Diplomacy* [1987], 1–18), have been more difficult to locate, even for professional historians doing research in the field.

Therefore, the primary goal of our collection, *Rome, the Greek World, and the East*, is to bring together into three volumes the most significant of Millar's essays published since 1961 for the widest audience possible. The collection includes many articles that clearly will be of great intellectual interest and pedagogical use to scholars doing research and teaching in the different fields of the volume headings: Volume 1, *The Roman Republic and the Augustan Revolution*; Volume 2, *Government, Society, and Culture in the Roman Empire*; and Volume 3, *The Greek World, the Jews, and the East*.

At the same time, we have conceived and organized the three volumes of *Rome, the Greek World, and the East* especially in order to make Millar's most significant articles readily available to a new generation of students, who increasingly may not have access to the specialty journals or edited volumes in which many of Millar's more recent articles have appeared.

The principle of arrangement of the essays in each of the three volumes is broadly chronological by subject matter treated within the ancient world. We believe that this chronological arrangement of essays (rather than by publication date of the essays) gives intellectual coherence to each volume on its own and to the collection as a whole. Overall, as Millar himself has defined it, the subject of this collection is "the communal culture and civil government of the Graeco-Roman world, essentially from the Hellenistic period to the fifth century A.D." ("Author's Prologue," volume 1, p. 11).

Publication of a three-volume collection of essays, drawn from a wide variety of journals and edited volumes, over nearly four decades

of scholarly production, presents editors with some major stylistic challenges. Our collection contains more than fifty essays. Most of these essays originally were published in learned journals or books, each of which had its own house style. Some learned journals also have changed their house styles over the time when Millar has published in them. For these reasons we have not attempted to bring all of the citations in the texts or notes of the articles in the collection into perfect stylistic conformity. Conformity for the sake of conformity makes no sense; moreover, to achieve such conformity would delay publication of the collection for years.

Rather, the stylistic goal of our collection has been to inform readers clearly and consistently where they can find the sources cited by Millar in his essays. To help achieve that goal we have included a list of frequently cited works (with abbreviations for those works) at the beginning of each volume. Thus, in the text or notes of the essays, readers will find abbreviations for frequently cited journals or books, which are fully cited in our lists at the beginning of each volume. For example, references in the notes to the abbreviation *JRS* refer to the *Journal of Roman Studies*. For the abbreviations themselves we have relied upon the standard list provided in *L'Année Philologique*. In certain cases, where there have been individual citations in the original texts or notes to more obscure collections of inscriptions or papyri, we have expanded the citations themselves in situ, rather than endlessly expanding our list of frequently cited works.

In accordance with Fergus Millar's wishes, for the sake of readers who do not know Latin or Greek, we have provided English translations of most of the extended Greek and Latin passages and some of the technical terms cited by Millar in the text and notes of the original essays. In doing so, we have followed the practice Fergus Millar himself adopted in *The Emperor in the Roman World* in 1977. We believe that providing these translations will help to make Millar's essays more widely accessible, which is the essential goal of the collection. Readers who wish to consult the original Greek and Latin passages or technical terms that we have translated in the collection can look up those passages or technical terms in the original, published versions of the essays.

The editors would like to thank the many friends and colleagues who have helped us in the process of collecting these essays and preparing them for publication. We are indebted first of all to Lewis Bateman, formerly senior editor at the University of North Carolina

Press, who suggested the basic arrangement of the essays into three volumes. We are also grateful to David Perry, editor-in-chief, and Pamela Upton, assistant managing editor at the University of North Carolina Press, for their flexibility, advice, and support of the project.

Gabriela Sara, Ori Shapir, Amir Marmor, and Andrea Rothstein in Israel and Dr. Nancy Thompson of The Metropolitan Museum of Art in New York provided editorial assistance. Our thanks also to Mark Rogers for his help with the maps. We continue to owe a great debt to Priscilla Lange for her helpfulness and kindness to us in Oxford. We also would like to express our gratitude to the Fellows of Brasenose College Oxford and All Souls College Oxford for their hospitality while we were working on this project.

Above all, however, the editors would like to thank Fergus Millar, for his scholarship, his generosity, and his friendship over more than two decades.

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Introduction

Those who study and teach the history of the ancient world suffer from a great disadvantage, which we find difficult to admit even to ourselves: in a perfectly literal sense we do not know what we are talking about. Of course, we can dispose of a vast range of accumulated knowledge *about* what we are talking about. We can compile lists of office-holders in the Roman Empire, without our evidence revealing how government worked or even whether it made any impact at all on the ordinary person; we can discuss the statuses of cities and look at the archaeological remains of some of them (or rather some parts of some of them) without having any notion of their social and economic functions, or of whether it made any real difference whether an inhabitant of the Roman provinces lived in a small city or a large village. We can study the remains of temples, the iconography of gods and goddesses, the nature of myth, ritual and sacrifice; but how and in what way did all this provide an important or intelligible context for a peasant in the fields? In the case of religion in particular our attention turns persistently to the exceptional rather than the ordinary, to those aspects which were novel, imported, mystical, or the subject of philosophical speculation.

—Fergus Millar, “The World of the *Golden Ass*”

So begins one of the articles in this volume, setting out the preoccupation of a lifetime—How did it really work? What did it feel like to be an inhabitant of a Roman province?—and at the same time revealing Fergus Millar’s keen awareness of the limits of our knowledge and perception. This declaration of ignorance and *aporia* should not deceive us, nor give us any comfort; it is based on enormous familiarity with the ancient sources and the vast modern commentary on them. Each and every article in the present collection is a variation on the theme of “how did it work and what did it feel like?”—the stubborn and relentless struggle to find out the truth, not to fall into familiar traps, to reread the old texts with a fresh eye and force out something new, informative, and meaningful.

The new reading of the familiar ancient sources was masterfully deployed in the two parts of the first volume (*Rome, the Greek World, and the East: Volume 1, The Roman Republic and the Augustan Revolution*) in order to vindicate the application of the term “democracy” to the Republic, and “monarchy” to the principate right from its inception. The present volume goes one step further in relying

heavily on the direct and fresh evidence of documentary texts, inscriptions and papyri, rather than losing itself in the barren study of the Rome-centered ancient texts. The change of emphasis was dictated by the change of subject, as already observed at the end of chapter 11 of the first volume, “The Emperor, the Senate, and the Provinces”—a study of the provincial system that foreshadows some of the issues presented in the present volume:

The Republic, it may be, can be seen from Rome outwards. To take this standpoint for the Empire is to lose contact with reality. Not only the pattern of the literary evidence, or the existence of an immense mass of local documents, but the very nature of the Empire itself, means that it can only be understood by starting from the provinces and looking inward. (p. 291)

Indeed, the city of Rome, the protagonist of the republican part of the first volume and of Millar’s recent book *The Crowd in Rome in the Late Republic*,¹ gradually recedes from our horizon in this volume, to make room for the provinces and the provincials. The two focal points of the present volume are the Empire as a system of government (even if the word “government” suffers from anachronistic overtones), which is the subject of the first part, and the culture and society of the Empire, to which the second part is devoted.

The first part includes papers exploring (and expanding) some of the themes of Millar’s monumental *The Emperor in the Roman World (31 B.C.–A.D. 337)*,² whose chronological scope corresponds roughly to that of the present volume, the first three centuries A.D. under the Empire, when relative stability allows one to speak of a system of government. Other papers in the first part were written after the publication of that book, covering new ground, but using the same model of the working of imperial government.

The main theme of the first chapter, “Emperors at Work” (1967), rightly described as a “true classic,” lies at the very heart of *The Emperor in the Roman World* and was in fact the most complete statement of Millar’s new interpretation of the nature of imperial rule before the book’s publication. Its cogent, and at times belligerent, tone is to be explained by the fact that “the hardest thing is precisely to drop anachronistic presuppositions and believe what one reads.”³ On a much smaller scale than *The Emperor in the Roman World*, “Emperors at Work” describes and interprets the role of the emperor in the Roman world through “words issued by, or in the name of, the Emperor, in response to words addressed to him by others.”⁴ Its

message could be summed up in what is often regarded as Millar's personal *credo*: "The emperor was what the emperor did,"⁵ that is, the impact of imperial rule was felt to the extent that it was exercised, and "its essential passivity" meant that it was exercised "in response to an initiative from below."⁶ The clue to what the emperor did lies first and foremost in the imperial correspondence whose characteristics are best illustrated in the Younger Pliny's correspondence with the emperor Trajan, the subject of chapter 2: "Trajan: Government by Correspondence" (1998).

The fact that Rome remained a republic in theory, and sovereignty was retained by the Senate and People of Rome (*senatus populusque Romanus*), meant that the public treasury, the *aerarium*, like other republican institutions, continued to operate as before (chapter 4: "The Aerarium and Its Officials under the Empire," 1964) alongside the imperial private treasury (better called "estate"), the *fiscus*, which slowly and gradually came to absorb the main functions of the former, thereby losing its private character (chapter 3: "The Fiscus in the First Two Centuries," 1963). Millar's later discussion of the imperial financial and monetary system, chapter 5: "Cash Distributions in Rome and Imperial Minting" (translated here from the French "Les congiaires à Rome et la monnaie," 1991), is perhaps the best example of what I referred to before as Millar's *aporia*: in no other article do we encounter so many unanswered questions, but the sheer value of posing them cannot be overestimated.

We are told in the postscript of chapter 6, "Epictetus and the Imperial Court" (1965), that its genesis lay in "the collection of material for a book on the imperial court from Augustus to Constantine," but its unique theme, a counterpoint to "the values of status and ambition" on which the imperial court and imperial society as a whole were based, was not in fact integrated into *The Emperor in the Roman World*.

The gruesome subject of penal punishment in the Roman Empire is fully explored by Millar for the first time in chapter 7: "Condemnation to Hard Labour in the Roman Empire, from the Julio-Claudians to Constantine" (1984). The dual-penalty system introduced into the Roman legal system in the second century A.D. meant that the various forms of physical punishment, incarceration and hard labour, meticulously described here, were reserved for "lower-class" persons—and also for Christians.

Another classic piece is "The Equestrian Career under the Empire"

(chapter 8), which contains the first part of Millar's review from 1963 of H.-G. Pflaum, *Les carrières procuratoriennes équestres sous le Haut-Empire romain* I–III (Paris, 1960–61), and also takes on board Pflaum's *Procurateurs équestres sous le Haut-Empire romain* (Paris, 1950). For Millar Pflaum's reconstruction of the equestrian career not only antedates the evolution of a fully fledged equestrian civil service with a highly regulated career, with rules of promotion and fixed grades of pay. Like other interpretations that rest largely on prosopographical data, it does not pay enough attention to the broader picture, to the sociopolitical and cultural framework which clearly resisted such a development.

Triggered off by E. N. Luttwak's *The Grand Strategy of the Roman Empire from the First Century A.D. to the Third* (Baltimore and London, 1976), chapter 9, "Emperors, Frontiers, and Foreign Relations, 31 B.C.–A.D. 378" (1982), analyzes "the conditions under which the external policy of the Empire was formulated and put into effect."⁷ It explores the interplay between the emperor as the commander in chief and the restraining factors of time, distance, and availability of information in shaping foreign policy and expansion. In modern perception diplomatic activity is characteristic of relations with foreign powers beyond the borders of the state. This view proves itself inadequate in the case of the Roman Empire, where the very concept of borders did not exist. Here "most of the evidence for exchanges which have the *form* of diplomatic dealings in fact comes from ... dealings with cities and communities unambiguously subject to the Roman Empire, which paid tribute to it, and which were in every sense within its borders," as demonstrated in chapter 10: "Government and Diplomacy in the Roman Empire during the First Three Centuries" (1988). The same is true of relations with the so-called client kings whose ambiguous status within the Roman world is revealed in chapter 11: "Emperors, Kings, and Subjects: The Politics of Two-Level Sovereignty" (1996).

The second part of this volume opens with an essay on the survival of local cultures under Roman aegis in a single province (chapter 12). At the time of its first publication "Local Cultures in the Roman Empire: Libyan, Punic, and Latin in Roman Africa" (1968) was a pioneer study in the true sense of the word. Millar's warning at the opening that the results and conclusions reached in such studies "may be falsified by new evidence" should not blind us to the enduring value of the methods employed and the questions asked here for the

first time in dealing with the intricate and complex issue of “survival.” This is the first expression in print of what became one of Millar’s main preoccupations, explored in many of the articles to be included in volume 3 of *Rome, the Greek World, and the East: The Greek World, the Jews, and the East* and in *The Roman Near East, 31 B.C.–A.D. 337*.⁸

Survival is also the subject of chapter 13, “P. Herennius Dexippus: The Greek World and the Third-Century Invasions” (1969), which takes its cue from the resistance put up by the Athenians headed by the historian Dexippus in the face of the Herulian invasion and sack of Athens in 267/8 A.D. This is Fergus Millar at his best, with complete mastery of the ancient sources, the documentary evidence, and the prosopographical data—a lesson indeed in how to use prosopography profitably. There is enough material here for the writing of a new “War and Peace” aiming to explain, in the words of the last paragraph, why “the Byzantine world survived against repeated attack in a way that the Latin world did not; and that a profound attachment to the classical Greek past remained fundamental to Byzantine culture.... what we find in the third century is not merely that fuller literary evidence happens to reveal more about popular resistance in the Greek East; but rather that the Greek society of the Empire gained self-confidence and coherence precisely from its vigorous literary and intellectual tradition, and its intimate connection with a heroic past.”

The role of the imperial cult in the various phases of the persecution of the Christians is an occasion to explore and nuance the nature of the cult itself in chapter 14 (“The Imperial Cult and the Persecutions,” 1973). The racy style of chapter 15, “The World of the *Golden Ass*” (1981), turning Apuleius’ fiction into a treasure trove for the depiction of real life in the Roman provincial countryside, gives way to the slowly mounting tension between imperial government and the self-governing cities of the empire in chapter 16: “Empire and City, Augustus to Julian: Obligations, Excuses, and Status” (1983). The vitality of city life was sapped by the multiplication of exemptions and immunities from performing municipal duties granted as rewards for employment in the growing imperial civil service. The interplay between private initiative and imperial helplessness or inconsistency encouraged the emergence of status distinctions, which left their mark on the honorific language of the inscriptions even before they received legal sanction. The process by which Italy, which until Domitian had occupied an abnormal status in the framework of the Empire, was provincialized is the subject of chapter 17: “Italy and the Roman

Empire: Augustus to Constantine” (1986).

Chapter 18, “Style Abides” (1981), should be read together with the more personal notes about Millar’s teacher (and an earlier holder of the Camden chair), the late Sir Ronald Syme, in the prologue to volume 1 (pp. 12–16). Both statements contain important insights into Syme’s work, interests, intentions, and personality. No less, however, do they reveal to us by comparison Millar’s own road as a historian of Rome. Millar certainly shared Syme’s impatience with the German constitutional school. In speaking about Syme he is clearly expressing his own feeling, familiar to all of us who were his students and who found the temptation of exploring such notions as “The imperium of Augustus” irresistible; whereas for Millar Syme’s “Imperator Caesar: A Study in Nomenclature”⁹ represents “his finest single article”—precisely because the elucidation of the title is taken from the political reality of the time rather than from the Roman law books.

Not that Millar is oblivious to the enormous value of the writings of the Roman jurists for imperial history, as is made abundantly clear in the two chapters that conclude this volume (chapter 19: “A New Approach to the Roman Jurists,” 1986; and chapter 20: “The Greek East and Roman Law: The Dossier of M. Cn. Licinius Rufinus,” 1999). Lamentably, the juristic texts have not received “the textual attention almost guaranteed to anyone who had the sense to write in verse,” and their invaluable contribution to our understanding of “the complex cultural landscape of the Empire” has been sorely missed. The career of the Greek jurist M. Cn. Licinius Rufinus takes us back some thirty-five years to *A Study of Cassius Dio* (Oxford, 1964),¹⁰ where for the first time Millar analyzes “the complex, and in historical terms extremely important, process by which the upper classes of the Greek East ‘became Roman’ while ‘staying Greek.’”

The Greek historian, Cassius Dio, and the Greek jurist, M. Cn. Licinius Rufinus, embody that process in their careers in the service of the Roman emperors as well as in their writings. Both represent “the fusion of Greek civilization and Roman government”; for both “to be a Roman ... was to have a certain attitude to history, to identify oneself with an historical tradition going back to the Republic and beyond, and to look at history from Rome outwards ... while retaining unimpaired the cultural outlook of the Greek world in which [they] were born.” Both—but also P. Herennius Dexippus—could be regarded as “a symbol of the process that brought about a Roman Empire ruled from Byzantium, which survived for a thousand years after the

western part had passed away” (*A Study of Cassius Dio*, 191–92).

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Jerusalem

11 December 2002

Notes

1. Jerome Lectures, Ann Arbor, Michigan, Autumn 1993, and American Academy in Rome, 1994. Michigan University Press, 1998.

2. Duckworth and Cornell University Press, 1977; 2nd ed. with Afterword, 1992.

3. “Emperors at Work,” text following n. 6.

4. Afterword, *ERW*², 637.

5. *ERW*, 6.

6. This last quotation is taken from chapter 11, “The Emperor, the Senate, and the Provinces,” in Fergus Millar, *Rome, the Greek World, and the East I: The Roman Republic and the Augustan Revolution*, ed. H. M. Cotton and G. M. Rogers (North Carolina, 2002), 291.

7. Text following n. 12.

8. Carl Newell Jackson Lectures, Harvard, 1987. Harvard University Press, 1993; paperback 1995.

9. *Historia* 7 (1958): 172–88 (= *Roman Papers* I, ed. E. Badian [Oxford, 1979], 361–77.

10. The role of Greeks in the development of Roman law intrigued Millar already then; see *A Study of Cassius Dio*, 188–89.

Abbreviations

Abbot and Johnson, *Municipal Administration* F. F. Abbott and A. C. Johnson, *Municipal Administration in the Roman Empire* (1926) AC *L'Antiquité Classique* Acta Ant. Acad. Sc. Hung. Acta Antiqua Academiae Scientiarum Hungaricae AE *L'Année Épigraphique* AJA *American Journal of Archaeology* AJAH *American Journal of Ancient History* AJPh *American Journal of Philology* Amer. Hist. Rev. *American Historical Review* Ann. Arch. Arab. Syr. Annales Archéologiques Arabes Syriennes Ann. Épig. *L'Année Épigraphique* Ann. Sc. N. Sup. Pisa Annali della Scuola Normale Superiore di Pisa ANRW *Aufstieg und Niedergang der römischen Welt. Geschichte und Kultur Roms im Spiegel der neueren Forschung* Ant. Class. *L'Antiquité Classique* Anz. Öst. Akad. Anzeiger für die Altertumswissenschaft, hrsg. von der Österreichischen Humanistischen Gesellschaft Arch. Esp. de Arqu. Archivo Español de Arqueología Arctos Arctos. Acta philologica Fennica Ath. Mitt. Mitteilungen des Deutschen Archäologischen Instituts, Athenische Abteilung Athenaeum Athenaeum. Studi periodici di Letteratura e Storia dell'Antichità BAA Bulletin d'archéologie algérienne BAR Int. Ser. British Archaeological Reports, International Series BAR Supp. British Archaeological Reports, Supplements BCH Bulletin de Correspondance Hellénique BE Bulletin Épigraphique, published in *Revue des Études Grecques* Ber. Röm-Germ. Kom. Bericht der Römisch-Germanischer Kommission BGU Aegyptische Urkunden aus den Königlichen (Staatlichen) Museen zu Berlin, Griechische Urkunden BICS Bulletin of the Institute of Classical Studies of the University of London BMC Catalogue of the Greek Coins in the British Museum Bonn. Jahrb. Bonner Jahrbücher des Rheinischen Landesmuseums in Bonn und des Vereins von Altertumsfreunden im Rheinlande Brit. Journ. Sociol. British Journal of Sociology BSR See PBSR Bull. Épig Bulletin Épigraphique, published in *Revue des Études Grecques* Bull. Ét. Or. Inst. Fr. Damas Bulletin des Études Orientales, Institut Français de Damas Bull. Inst. Cl. Stud. Bulletin of the Institute of Classical Studies of the University of London CAH, CAH² Cambridge Ancient History Cavenaille, Corp. Pap. Lat. R. Cavenaille, Corpus Papyrorum Latinarum Charlesworth, Documents M. P. Charlesworth, Documents Illustrating the Reigns of Claudius and Nero Chron. d'Ég. Chronique d'Égypte CIL Corpus Inscriptionum Latinarum CIRB Corpus Inscriptionum Regni Bosporani CJ Classical Journal Class. Phil. Classical Philology Coll. Mosaicarum et Romanarum Legum Collatio (FIRA² I, 541–89) Coll. Int. du CNRS Colloques Internationaux du Centre National de Recherche Scientifique

Corpus Gloss. Lat. Corpus Glossariorum Latinorum CPh Classical Philology
 CQ Classical Quarterly CR Classical Review CRAI Comptes-rendus de
 l'Académie des Inscriptions Daremberg and Saglio Ch. Daremberg and E.
 Saglio, *Dictionnaire des Antiquités Grecques et Romaines* (1877–1919)
 Dial. d'hist. anc. Dialogues d'Histoire Ancienne Dial. di Arch. Dialoghi di
 Archeologia Diz. Epig. Dizionario Epigrafico Econ. Hist. Rev. Economic
 History Review EE Ephemeris Epigraphica Ehrenberg and Jones V.
 Ehrenberg and A. H. M. Jones, *Documents Illustrating the Reigns of
 Augustus and Tiberius*² (1955; repr. with addenda 1976, 1979) ERW
The Emperor in the Roman World (F. Millar, 1977, 2nd ed. 1992) ESAR
 T. Frank, ed., *An Economic Survey of Ancient Rome* FGrH F. Jacoby, *Die
 Fragmente der griechischen Historiker* FHG C. Müller, Th. Müller, et al.,
Fragmenta Historicorum Graecorum I–V (1853–70) FIRA² S. Riccobono,
 J. Baviera, C. Ferrini, J. Furlani, and V. Arangio-Ruiz, *Fontes Iuris
 Romani Anteiustiniani*² I–III (1940–43) *Fontes*⁷ *Fontes Iuris Romani
 Anteiustiniani*⁷ Frag. Vat. *Fragmenta Vaticana* (see FIRA² II) G&R *Greece
 and Rome* GCS *Griechische Christliche Schriftsteller* Geog. Gr. Min.
Geographi Graeci Minores Gesch. d. byz. Lit. *Geschichte der byzantinischen
 Literatur* Gesch. d. röm. Lit.⁴ *Geschichte der römischen Literatur* GRBS
Greek, Roman and Byzantine Studies Harv. Stud. Class. Phil. *Harvard
 Studies in Classical Philology* HSCP, HSCPh *Harvard Studies in Classical
 Philology* HThR *Harvard Theological Review* IBM *Inscriptions from the
 British Museum* IEJ *Israel Exploration Journal* IG *Inscriptiones Graecae*
IGBulg. Inscriptiones Graecae in Bulgaria repertae IGLS *Inscriptions
 grecques et latines de la Syrie* IGR *Inscriptiones Graecae ad Res Romanas
 Pertinentes* IGUR *Inscriptiones Graecae Urbis Romae* I. K. Eph., I. K.
Ephesos Inschriften griechischer Städte aus Kleinasien: Ephesos I. K. Kyme
Inschriften griechischer Städte aus Kleinasien: Kyme I. K. Prusa ad
*Olympum Inschriften griechischer Städte aus Kleinasien: Prusa ad
 Olympum* ILAlg. *Inscriptions Latines de l'Algérie* ILLRP² *Inscriptiones
 Latinae Liberae Reipublicae* ILS *Inscriptiones Latinae Selectae* I–III *Inscr.
 Cret. Inscriptiones Creticae* Ins. Didyma A. Rehm and R. Harder, eds.,
Didyma II: Die Inschriften Ins. Gr. Urb. Rom. *Inscriptiones Graecae Urbis
 Romae* Ins. lat. d'Alg. *Inscriptions Latines d'Algérie* Ins. v. Pergamon *Die
 Inschriften von Pergamon* Int. Hist. Rev. *International History Review* IRT
Inscriptions of Roman Tripolitana Ist. Mitt. *Mitteilungen des Deutschen
 Archäologischen Instituts, Istanbul Abteilung* Itin. Ant. *Itinerarium
 Antonini* Iura Iura. *Revista internazionale di Diritto romano e antico*
Jahreshefte Öst. Arch. Inst. *Jahreshefte des Österreichischen
 Archäologischen Instituts* JEA *Journal of Egyptian Archaeology* JHS
Journal of Hellenic Studies JJS *Journal of Jewish Studies* JÖAI *Jahreshefte*

des Österreichischen Archäologischen Instituts *Journ. Theol. Stud.* *Journal of Theological Studies* *JRA Journal of Roman Archaeology* *JRS Journal of Roman Studies* *JThS Journal of Theological Studies* *LRE A. M. H. Jones, The Later Roman Empire* (1964) *LTUR E. M. Steinby, Lexicon Topographicum Urbis Romae* I–VI (1993–2000) *McCrum and Woodhead, Select Documents* *M. McCrum and A. G. Woodhead, Select Documents of the Principates of the Flavian Emperors* (1961) *MAMA Monumenta Asiae Minoris Antiqua* *MDAI(A) Mitteilungen des Deutschen Archäologischen Instituts, Athenische Abteilung* *MEFRA and MEFR Mélanges d'Archéologie et d'Histoire de l'école française de Rome* *Mém. Soc. Nat. Ant. Fr. Mémoires de la société nationale des antiquaires de France* *Migne, PG J.-P. Migne, Patrologia Graeca* *Migne, PL J.-P. Migne, Patrologia Latina* *MRR T. R. S. Broughton, The Magistrates of the Roman Republic* *Mus. Helv. Museum Helveticum* *NC Numismatic Chronicle* *Numis. Chron. Numismatic Chronicle* *OGIS W. Dittenberger, Orientis Graeci Inscriptiones Selectae* I–II (1903–5) *ORF³ H. Malcovati, Oratorum Romanorum Fragmenta³* *P. Abinn. The Abinnaeus Archive: Papers of a Roman Officer in the Reign of Constantius* *P. Amh. The Amherst Papyri* *P. CairIsidor The Archive of Aurelius Isidorus in the Egyptian Museum, Cairo, and the University of Michigan* (1960) *P. Col. Columbia Papyri* *P. Dura C. B. Welles, R. O. Fink, and Y. F. Gilliam, The Excavations at Dura-Europus, Final Report V.1: The Parchments and Papyri* (1959) *P. Giss. Griechische Papyri im Museum des oberhessischen Geschichtsvereins zu Giessen* *P. Lips Die griechischen Papyri der Leipziger Universitätsbibliothek* *P. Mich. Michigan Papyri* *P. Oxy. B. P. Grenfell, A. S. Hunt, et al., eds., The Oxyrhynchus Papyri* (1898–) *P. Ryl. Catalogue of the Greek papyri in the John Rylands Library at Manchester* *P. Stras. Griechische Papyrus der kaiserlichen Universitäts- und Landesbibliothek zu Strassburg* *Pan., Pan. Lat. Panegyrici Latini* *Pap. Brit. Sch. Athens Papers of the British School at Athens* *Pap. Brit. Sch. Rome Papers of the British School at Rome* *PBSA Papers of the British School at Athens* *PBSR Papers of the British School at Rome* *PCPS, PCPhS Proceedings of the Cambridge Philological Society* *Peter, HRR H. Peter, Historicorum Romanorum Reliquiae* *Pflaum, Carrières H.-G. Pflaum, Les carrières procuratoriennes équestres sous le Haut-Empire romain* I–III (1960–61) *PG J.-P. Migne, Patrologia Graeca* *Philol. Philologus* *PIR¹, PIR² Prosopographia Imperii Romani* (1897–98 and 1933–) *PL J.-P. Migne, Patrologia Latina* *Platner and Ashby, Topographical Dictionary* *S. Platner and T. Ashby, Topographical Dictionary of Ancient Rome* (1929) *PLRE Prosopography of the Later Roman Empire* *Proc. Brit. Acad. Proceedings of the British Academy* *Proc. Camb. Philol. Soc. Proceedings of the Cambridge Philological Society* *Proc.*

Roy. Irish Acad. *Proceedings of the Royal Irish Academy Proc.* XII. Int. Cong. Pap. D. H. Samuel, ed., *Proceedings of the Twelfth International Congress of Papyrology*, Ann Arbor, Michigan, 12–17 August 1968 (1970) *PSI Papiri greci e latini*. Pubblicazioni della Società Italiana per la ricerca dei papiri greci e latini in Egitto P-W Pauly-Wissowa, *Realencyclopädie der klassischen Altertumswissenschaft* Quad. di arch. della Libia Quaderni di archeologia della Libia RAC *Reallexikon für Antike und Christentum* RE Pauly-Wissowa, *Realencyclopädie der klassischen Altertumswissenschaft* REA *Revue des études anciennes* REG *Revue des études Grecques* Rend. Acc. Naz. Lincei *Rendiconti dell'Accademia dei Lincei*, Classe di scienze morali, storiche e filologiche Rev. Arch. *Revue Archéologique* Rev. Belge de Phil. et d'Hist. *Revue Belge de Philologie et d'Histoire* Rev. Hist. *Revue Historique* Rev. Hist. Dr. Fr. *Revue Historique du Droit Français et Étranger* Rev. Hist. Relig. *Revue de l'Histoire des Religions* Rev. Phil. *Revue Philologique* RFIC *Rivista di Filologia e di Istruzione Classica* RG *Res Gestae Divi Augusti* Rh. Mus., RhM *Rheinisches Museum* R.I.C. H. Mattingly and E. A. Sydenham, eds., *Roman Imperial Coinage* I– (1923–) RIDA *Revue Internationale des Droits de l'Antiquité* RIL J.-B. Chabot, ed., *Recueil des inscriptions libyques* I (1940–41) Riv. di Stor. e Lett. Religiosa *Rivista di Storia e Letteratura Religiosa* Röm.-Germ. Kom. See Ber. Röm-Germ. Kom. Röm. Mitt. *Mitteilungen des Deutschen Archäologischen Instituts, Römische Abteilung* Rostovtzeff, *SEHRE*² M. Rostovtzeff, *Social and Economic History of the Roman Empire*², ed. P. M. Fraser (1957) RP R. Syme, *Roman Papers* RRC I M. Crawford, *Roman Republican Coinage* I (1974) Sardis VII.1 W. H. Buckler and D. M. Robinson, *Sardis VII.1: Greek and Latin Inscriptions* (1932) SB *Sammelbuch griechischer Urkunden aus Aegypten* (1915–) S-B *Deutsche Ak. Wiss. Sitzungsberichte der deutsche Akademie der Wissenschaften* SC *Sources Chrétiennes* Schanz-Hosius M. von Schanz, *Geschichte der römischen Literatur bis zum Gesetzgebungswerk des Kaisers Justinian*, 4th ed. by C. Hosius SCI *Scripta Classica Israelica* SEG *Supplementum Epigraphicum Graecum* (1923–) Sel. Pap. A. S. Hunt and C. C. Edgar, *Select Papyri* I–III. Loeb Classical Library (1932–42) SIG³ *Sylloge Inscriptionum Graecarum*³ I–IV (1915–24) St. It. Fil. Class. *Studi Italiani di Filologia Classica* Staatsrecht Th. Mommsen, *Römischer Staatsrecht* Stud. Class. e Or. *Studi Classici e Orientali* Stud. et Doc. Hist. et Iur. *Studia et Documenta Historiae et Iuris* Syll.³ *Sylloge Inscriptionum Graecarum*³ I–IV (1915–24) Syr. Syria TAM *Tituli Asiae Minoris* TAPA, TAPhA *Transactions of the American Philological Association* Tijdschr. v. Rechtsg. *Tijdschrift voor Rechtsgeschiedenis* (= *Revue d'Histoire du Droit*) TLL *Thesaurus Linguae Latinae* TLS *Times Literary Supplement* VDI

Vestnik Drevnei Istorii (Moscow) Wilcken, *Chrestomathie* L. Mitteis and U. Wilcken, *Grundzüge und Chrestomathie der Papyruskunde* I YCS, *Yale Class. Stud.* *Yale Classical Studies* ZDPV *Zeitschrift des Deutschen Palästina-Vereins* *Zeitschr. f. Pap. u. Epig* *Zeitschrift für Papyrologie und Epigraphik* ZPE *Zeitschrift für Papyrologie und Epigraphik* ZSS, ZRG *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte. Romanistische Abteilung*

Rome, the Greek World, and the East



The Roman Empire, ca. 160 A.D.

PART I

The Imperial Government

CHAPTER ONE

Emperors at Work



One of the most revealing single items of evidence on the political character of the Empire is an anecdote told by Dio about Hadrian; a woman approached the Emperor on a journey and demanded his attention; Hadrian said he had no time and moved on—"then stop being Emperor" shouted the woman after him.¹ The point is clear; the ideology—and the practice—of the Empire was that the emperor was *personally* accessible to his subjects in a way which now seems incredible, and which most books on the Empire tend to ignore, or regard as trivial. One may recall, for instance, Maecenas struggling to get through the crowd surrounding Augustus as he gave judgement,² the *advocati* trying to hold Claudius by physical force on the tribunal to hear their pleas,³ or the story of how a muleteer of Vespasian was bribed to stop and shoe a mule, giving time for a litigant to approach.⁴

Such examples are intended merely as the setting for a discussion of two specific problems, raised in particular by A. N. Sherwin-White in analysing the correspondence of Pliny and Trajan.⁵ "Did emperors personally read letters sent to them?" "Did they write the replies?" "And if they did not, who did?" It is only by asking specific questions like these that we can get valid answers to questions about the nature of the Empire as a political institution—was it a bureaucracy in which executive decisions could be made anonymously at secretarial levels? What range of decisions did the emperor himself actually make?

Administrative history has peculiar dangers of its own. We all know that we do not understand Roman religion. Administration seems easier, more readily comprehensible in present-day terms. Hence the evidence can be confidently distorted to fit entirely anachronistic conceptions. Our sources say that Claudius was dominated by his freedmen; the first edition of *CAH* reproduced this as "Claudius ... took the decisive step of creating special departments of what may be termed a Civil Service, each department being controlled by a freedman."⁶ But talk about bureaux, offices of state, secretariats, and so forth is mere slogan writing. What we must do is to look again and try to see exactly what the sources say about how things worked at the centre of power. The hardest thing is precisely to drop

anachronistic presuppositions and believe what one reads.

I began with the theme of the emperor's personal contact with his subjects. That contact took place in many contexts, as for instance when emperors appeared at the circus or theatre and answered the shouts of the people by gestures, by word of mouth, or through a herald,⁷ when they accepted gifts on 1 January,⁸ or distributed cash to the people (*congiarium*).⁹ But it was true also in the exercise of business—and this gives the link with imperial correspondence. The evidence shows indisputably that it was normal for emperors not only to confront litigants and defendants, petitioners and delegations personally, but to deal with their business personally and make the required decisions themselves. For the ideology one might note especially Augustus' written answer to Tiberius, who had asked the citizenship for a Greek client—"he would not grant it unless the man appeared in person and persuaded him that he had good grounds for his request."¹⁰ For many matters, Crook's *Consilium Principis* makes it unnecessary to cite much of the evidence. Two points, however, need emphasis. Firstly, it is sometimes stated that when a delegation arrived to see the emperor, they first gave in their decree to the bureau *a legationibus* (dealing with embassies), that is, that some preparations were made before the formal hearing.¹¹ But, for instance, when Philo's delegation arrived, it was Gaius whom they first saw and greeted; nothing could be achieved further, however, until they could actually present the petition and speak before him.¹² Then there is the case of the Bithynian embassy which came to accuse Junius Cilo before Claudius. Admitted to his presence, they gave vent to a confused roar of complaint, so that Claudius had to ask Narcissus, who was standing next to him, what they had said; being a friend of Cilo he said that they had been uttering his praises—"So he will be procurator for two more years," announced Claudius.¹³ It is clear that there were as yet *no* papers of the case—and never were, since the embassy was then dismissed. The implications of these stories are confirmed by instructions of Menander the rhetorician about the *presbeutikos logos* (ambassadors' oration): it accompanied the actual handing over of the *psephisma* (decree) to the emperor.¹⁴ This is the procedure in the Oxyrhynchus papyrus reporting an Alexandrian delegation before Augustus in A.D. 13: a delegate called Alexander hands over the decrees of the city and begins the first speech.¹⁵ It is also envisaged in the decree passed in A.D. 4 by the *decuriones* (city councillors) and *coloni* of Pisa on hearing of the death of Gaius: "[I]n the meantime T. Statulenus Iuncus ... should be asked along with

envoys, when the *libellus* had been handed over, to excuse the present difficulty of the colony and to make known this devotion of ours and the goodwill of all to Emperor Caesar Augustus.”¹⁶ So when an emperor writes, as Augustus to Cnidos, “Your ambassadors ... presented themselves to me in Rome and, handing over the decree, made their accusation,”¹⁷ he means just that. In one of the Alexandrian reports of proceedings we find an emperor (Trajan or Hadrian) reading a letter presented by a delegation—and then summoning his “friends.”¹⁸ Thus when Gaius says in a letter to the Panhellenes, “having read the decree given to me by your ambassadors ... ,”¹⁹ we may take it that he means what he says.

Secondly, the role of advisers: it was in the nature of the *consilium* that the emperor’s advisers gave their *sententiae* (opinions), and then the decision was pronounced independently by the magistrate or emperor himself. Nero would have the *sententiae* written down and then retire to consider them.²⁰ But even in the second and third centuries, when lawyers as such were brought into the *consilium*, emperors would follow this same procedure, even in legal business. Marcellus describes a *cognitio* (trial) conducted by Marcus Aurelius in which he took part; various opinions were put; then the Emperor dismissed the court, meditated, and called them back to hear his decision.²¹ Similarly, Paulus describes himself giving his opinion, on a case before Severus; the Emperor considers it but makes up his own mind.²² Yet if there were any cases of qualified officials making decisions for the emperor it should have been the lawyers.

With that we can come one stage nearer the question of official correspondence and look at the handling of *libelli*—for the moment just *libelli* brought to the emperor by their authors, not ones sent on by officials such as Pliny. *Libelli* in this context divide into two types—ones containing information against third parties and ones containing petitions or requests for legal decisions. Here again we find the informant or petitioner giving the *libellus* direct to the emperor himself—as witness the anecdote of Augustus saying to a man who proffered his *libellus* with excessive timidity. “You are like a man giving a coin to an elephant”;²³ compare the case in Suetonius of a man giving Claudius a *libellus* during the *salutatio* (the morning reception),²⁴ or Martial’s line “while the multitude gives you plaintive *libelli*, Augustus,” and his reference to the man who had come from his *patria* to ask the Emperor for the privileges granted to parents of three children—“But stop wearying our lord with supplicating *libelli*.”²⁵

Then there is the incident in Philostratus when the philosopher Euphrates hands Vespasian a letter with requests for gifts, expecting him to read it in private—but Vespasian puts him to shame by reading it out aloud there and then.²⁶ Similarly, the plan for the murder of Domitian was that Stephanus should hand him a *libellus* and *while he was reading it* strike him down.²⁷ The text called *Sententiae et Epistulae* of Hadrian also contains two instances of petitions *per libellum* with the spoken answers of the Emperor.²⁸ But the classic instance of the emperor's reception of *libelli* is Constantine at the Council of Nicaea. Tired of the mutual accusations made by the bishops in *libelli*, he appointed a special time for this: “[W]hen he had taken his seat, he received *libelli* from each separately, all of which he held in his lap, not revealing what was in them.”²⁹

Then there were letters sent to the emperor by officials. The best procedure is to start with a few clear examples of emperors reading such letters themselves, and then come finally to the most difficult question, the handling of imperial paperwork and the composition of letters and rescripts.

Firstly then, Suetonius and Dio record that Augustus removed a consular legate from his post on grounds of illiteracy—“because he noticed that he had written *ixi* instead of *ipsi*.”³⁰ We can hardly escape the inference that the legate had written the letter with his own hand and that Augustus read it himself. Then in Philo we find Petronius the legate of Syria sending a letter to Gaius: “When (the messengers) arrived they delivered the letter. Gaius got red in the face before he had finished reading and was filled with anger as he noted each point.”³¹ Later we find him reading a letter from King Agrippa—“and getting angry at each of the points.”³² Similarly, Philo describes Tiberius reading a letter of complaint from the Jews about Pilate and breaking into a violent expression of rage.³³ The accounts of the events leading up to the murder of Caracalla give further evidence, somewhat in conflict. Herodian tells of messengers from Rome bringing a bundle of official letters to Caracalla in Syria; they arrive to find him just setting off for some chariot racing, so he tells Macrinus, the praetorian prefect, to look through the letters for him. Among them Macrinus finds information against himself.³⁴ Dio's version is less dramatic and clearly preferable. As he had recorded earlier, Caracalla had entrusted the handling of routine *libelli* and letters to his mother, Iulia Domna;³⁵ his statement is strikingly confirmed by the publication of a letter from Iulia to Ephesus, the only known example

of a letter from an empress to a city.³⁶ Macrinus, according to Dio, was warned privately, while the official letters, which were delayed, went to Iulia Domna at Antioch—for she was instructed “to sort out all [communications] that arrived.”³⁷ The two accounts, though different, have the same bearing on this subject. Then, to take an example of a semi-official letter, there is the one written by Aelius Aristides to Marcus Aurelius after the earthquake at Smyrna, which is extant among his orations (*Or.* 19 Keil). It contained a moving appeal for aid and, according to Philostratus, when the Emperor came to the words, “the winds blow through the deserted city,” his tears fell on the page.³⁸ One may presume that he was not looking over the shoulder of the official in charge of imperial correspondence at the time.

Then there are some more general references to emperors reading official communications. Julius Caesar had incurred public displeasure “because during the performance he spent his time reading or answering letters and *libelli*”; Augustus was careful to avoid this mistake,³⁹ but Marcus Aurelius was not—“It was Marcus’ habit to read, listen to, and subscribe [documents] during the circus games.”⁴⁰ Suetonius describes Vespasian’s *ordo vitae* (way of life): in the morning “after reading his letters and the reports of all the officials, he admitted his friends.”⁴¹ So with the two letters in which Trajan tells Pliny that he has read (“legi”) *libelli*—in one of which he goes on “having been moved by his prayers”⁴²—we may believe what he says; there is no need to imagine that a chief secretary might have read them and advised Trajan.⁴³ One might note in passing some different types of cases in which emperors are directly or very closely involved with official documents: in the *Sententiae* Hadrian says to a petitioner, “sine videam commentarios,” or “let me look up the *commentarii* (records)—and then come back.”⁴⁴ Similarly, Suetonius records an anecdote when Vespasian was asked by a *dispensator* (steward) how to make an entry in the accounts;⁴⁵ and the *Historia Augusta* says that Severus Alexander kept full records of the troops’ pay and service in his bedroom and would study them constantly.⁴⁶

With the more complicated question of the composition of imperial correspondence, the only thing is to take the matter schematically and start from the extreme possibility: did emperors write their letters with their own hands?

Firstly, it is worth noting that there *are* cases of official documents written by emperors: Augustus left the “the arrangements for the

assemblies" (*ordinatio comitiorum*) "written in his own hand";⁴⁷ the accounts of the finances of the Empire, "all of which he had written in his own hand";⁴⁸ and his will, "written ... partly in his own hand, partly in that of his freedmen."⁴⁹ Tiberius left two copies of his will, one written out by himself, the other by a freedman.⁵⁰ Aurelian was betrayed by a slave who forged a list of names for execution by *imitating his handwriting* and then showed it to the supposed victims.⁵¹

Actual official letters written by emperors are rare (though it was common for them to write *personal* letters in their own hand).⁵² But there are cases of semi-official autograph letters; Tiberius used to write such to Cossus, the urban prefect (*praefectus urbi*): "To him, however, Tiberius wrote much with his own hand; that which he thought should not be entrusted even to his assistants."⁵³ Then we have Nerva writing "in his own hand" to Trajan on adopting him, and Trajan writing "in his own hand" to the Senate on his accession.⁵⁴ Eusebius records that Constantine wrote a letter in his own hand to Sapor II (309–79) on the persecution of Christians in Persia.⁵⁵

These are, of course, specifically exceptional cases. But there were two types of missive which, probably in one case and certainly in the other, emperors often wrote with their own hand. These are *codicilli* (letters of appointment) and *subscriptions*. We happen to have two texts of codicils, one from Domitian to L. Laberius Maximus, the prefect of Egypt,⁵⁶ the other from Marcus Aurelius to a procurator named Domitius Marsianus;⁵⁷ both are couched in warm and personal terms—as, evidently, were the *codicilli* of Tiberius to his drinking companions, L. Piso and Pomponius Flaccus, "declaring in their letters of appointment that they were the most agreeable of friends, and at all times."⁵⁸ They certainly give the impression of personal messages, dictated if not written by the emperor. Similarly Epictetus represents a *corrector* or *curator civitatum* (a commissioner in charge of city finances) as saying "Caesar wrote me a letter of appointment."⁵⁹ Such impressions are no proof; but then we have Caligula at dinner during a show rewarding a senator for the greed with which he ate by sending him codicils, appointing him praetor,⁶⁰ and, better, Suetonius' account of how the freedmen arranged appointments under Claudius—"substituting false letters of appointment, or even openly changing those which he had issued."⁶¹ The implication, it is clear, is that the codicils emanated directly from Claudius—what the freedmen did was to alter the documents themselves or substitute others. There is certainly no room in the story for a "bureau," headed by a freedman,

by which the documents were produced.

A considerable amount of an emperor's time was taken up with *libelli* which went to him with requests for *beneficia* (favours) or legal guidance. The essential element of the procedure was for the emperor to write on the *libellus* a *subscriptio* (a brief answer to the question, literally "written under" the petition), in his own hand. I have noted already the passages showing Iulius Caesar and Marcus Aurelius busy with this at the shows.

It is quite clear that the *subscriptio* (which means not a signature but a statement or verdict appended by someone) was the work of the emperor's own hand: one may note a case, not a *libellus* this time, related by Suetonius of Nero,⁶² "when he was asked according to custom to sign the warrant for the execution of a man who had been condemned to death, he said: 'How I wish I had never learnt to write!'" The story is told in greater detail by Seneca addressing Nero himself, "Burrus, your prefect ... , about to execute two robbers, pressed you to write their names and your reasons for wanting them executed. That had often been put off, but he insisted that it should be done. Reluctantly he held out the document and handed it to you who were reluctant too; and you exclaimed: 'I wish I had never learnt how to write!'"⁶³ Or one might note that subscription was part of the work of the prefects of the Aerarium, on Pliny's evidence, "I give jurisdiction, subscribe petitions, make up the records";⁶⁴ similarly with the praetor—"he should return [the letter] to the praetor to subscribe in his own hand as he wishes."⁶⁵ But such parallels are unnecessary, for we have the rescript of Diocletian and Maximian dating to 292, "we ordain that our authentic and original rescripts themselves, subscribed in our own hand, not copies of them, be entered on the record."⁶⁶ Then we have Commodus: "[H]e was so lazy and careless in subscribing that he answered many *libelli* with the same formula."⁶⁷ The *Historia Augusta* also records that Carinus "had such an aversion for subscribing [*libelli*] that he appointed for subscribing them a certain filthy fellow ... whom he generally reviled because he could imitate his handwriting so well."⁶⁸ It is certainly surprising to find emperors answering the often fairly insignificant requests and enquiries of communities or individuals in their own hand; but the surprise may be lessened when it is realized that the *subscriptio* (or *rescriptum*) very often consisted of the address and a single brief sentence—as does that of Antoninus Pius to Smyrna,⁶⁹ of Commodus to the *coloni* of the saltus Burunitanus,⁷⁰ or of Philip and

his son to the Aragueni.⁷¹ Commodus' *subscriptio* is followed by the words, "and in a different hand: 'I have written, I have checked [*scripsi, recognovi*].'" The evidence on the procedure with imperial letters cited below, in particular that of Salvius Julianus, might suggest that the *subscriptio* was in fact dictated, and then *scripsi, recognovi* written on by the Emperor.

For ordinary imperial letters, to cities or officials, dictation was normal. Caligula, after reading the letter of Petronius, dictated his reply to an *ab epistulis*.⁷² Titus, according to Suetonius, used to dictate letters for Vespasian in his old age,⁷³ and Suetonius also describes Domitian dictating an official letter, "when dictating a model letter in the name of his procurators, he began thus: 'Our Lord and God orders that this be done.'"⁷⁴ One may also mention Marcus Aurelius' letter written while "Caesar" in the 140s or early 150s, in which he tells Fronto: "At last the messenger is off, and at last I can send you a report of what I have done in the last three days. I cannot say anything; to such an extent I have exhausted my spirits by dictating nearly thirty letters."⁷⁵ These might of course have been private letters.

But even when an official letter was dictated, an emperor might add something, possibly in his own hand: later in Philo's narrative Caligula orders another letter to be written to Petronius and then adds a threatening final sentence.⁷⁶ I would suggest that this means that he wrote the last sentence on to the letter.

The notion of dictation followed, if necessary, by additions in the emperor's own hand is clearly expressed in the *Historia Augusta's* account of Severus Alexander's method of dealing with paper work: "The afternoon hours he always devoted to subscribing and reading letters, while the officials in charge of the correspondence [*ab epistulis*], the petitions [*a libellis*], and records [*a memoria*] were always in attendance ... with the clerks and those handling the record office [*scrinium*] re-reading everything to him, in such a way that Alexander would add with his own hand whatever was to be added, adopting the opinion [*sententia*] of the man who was regarded as the most expert."⁷⁷ As regards additions by the emperor's hand to the actual substance of a letter we do not seem to have any unambiguous evidence to support this obviously dubious source. But as regards a sentence of greeting written on at the end of a letter we have the clear testimony of the inscription from Brigetio with the letter written by Constantine and Licinius in 311 to Dalmatius on the *privilegia* of

soldiers, which ends “and in the divine hand: ‘Farewell, Dalmatius, dearest to us’” (*et manu divina: Vale Dalmati carissime nobis*).⁷⁸ Imperial letters normally indeed end with a phrase of greeting, often just “be well” or “good luck” or “I wish you well” but sometimes a little longer, as in Caracalla’s letter of 213 to Aurelius Julianus of Philadelphia: “Be well, Iulianus, most esteemed, and dearest to me.”⁷⁹ The addition of a whole sentence rather than a single word or brief phrase seems to have been normal in the fourth century. Constantine’s letters end with sentences like, “God will protect you, beloved brother,”⁸⁰ or “Farewell my dearest brothers by the common prayer, God ordaining through the ages.”⁸¹ None of these added sentences carries any explicit indication that they are written by the emperor; though a letter of Constantine to Arius and his followers in 333 ends, “and in a different hand: ‘God will protect you, beloved brothers.’”⁸² But the supposition that they were written by the emperors, combined with the fact of their increase in length, would enable us to understand a puzzling phrase used by the *Historia Augusta* of Commodus: “[I]n many of his letters he merely wrote the word ‘farewell.’”⁸³ The implied criticism would thus be a misunderstanding.

Such a *subscriptio* is also presumably what is meant when Dio gives the evidence for the death of Trajan before adopting Hadrian: “This was shown also by Trajan’s letters to the Senate, for they were subscribed, not by him, but by Plotina, although she had not done this in any previous instance.”⁸⁴

So much, for the moment, for the role of the emperor. I have deliberately avoided certain complexities about copies of letters or rescripts, their transmission, publication, and so forth. I have simply given such clear evidence as there is about the part played by the emperor himself. The evidence is scattered but it does, I think, suffice to prove that communications, like individuals, could and did get the personal attention of the emperor. The question now arises—what did the freedmen, and later equestrian, “secretaries” actually do? Were they there either to take executive decisions, to prepare substantive drafts for approval by the emperor, or to give technical advice, for instance on legal matters in the Greek provinces? If neither of these, why were they important at all?

Here some principles need to be established. The first is that we cannot deduce a man’s function from his title. The title will indicate the area of business with which the post was (or had originally been) concerned; it will tell us nothing about what its holder at any given

moment actually did. Secondly, from the fact that some holders of a particular post exercised power and influence it does not follow that their importance arose from the exercise of the specific functions of the post. The evidence on Pallas, which is extensive, contains only a single, retrospective, reference to *rationes* (accounts).⁸⁵ Narcissus was *ab epistulis*; the evidence shows him urging condemnations by Claudius, getting Vespasian a post as legionary legate, addressing the mutinous troops of the British expedition, taking a leading part in dealing with Messalina and Silius and in the debate on Claudius' second marriage, attending Claudius at the hearing of an embassy, supervising the draining of a lake, and finally being killed by Agrippina whose marriage to Nero he had opposed.⁸⁶ We shall come in a moment to the one reference which illustrates his formal functions. Similarly with Callistus, *a libellis* under Claudius; again with a single exception, the evidence illustrates not his functions but his power: his support of Claudius and participation in the conspiracy against Gaius, his participation also in the affair of Messalina and Silius and in the debate on Claudius' remarriage, his role in saving Domitius Afer, and otherwise his wealth and social prominence.⁸⁷

We might say that this pattern of evidence just reflects the interests of our sources. But the key to the situation is given by the fact that the career equestrians who later came to hold these secretarial posts never exercised a comparable degree of personal influence. The *éminences grises* of the second century and after were not *ab epistulis* or *a libellis* but *cubicularii* (chamberlains), like Saoterus and Cleander under Commodus.⁸⁸ In other words the exercise of power, at least as it is reflected in our sources, is a function of imperial favour—extended equally on occasion to doctors or dancers—and was chiefly attained by long propinquity. That is shown nowhere better than in Philo's account of Helicon, the *cubicularius* of Caligula.⁸⁹

That said, we are left with the specific task of finding evidence showing the holders of “secretarial” posts actually at work. First, the *ab epistulis*: Suetonius records that Augustus punished Thallus, his *a manu*, “for divulging the contents of a letter”⁹⁰—that unfortunately leaves the actual role of Thallus unclear. Then we have Gaius, as noted before, dictating (or giving instructions for) a letter to an *ab epistulis*. After that, however, we have the one bit of evidence about Narcissus at work in his capacities as *ab epistulis*; he had charge of the secret *grammata* of Claudius against Agrippina and others. Exactly what these were is not really clear—indeed they sound rather like

libelli of accusation. At any rate he burnt them after the murder of Claudius.⁹¹

More illuminating is the case of Beryllus, the *ab epistulis graecis* of Nero, “entrusted with the management [*taxis*] of the Greek correspondence.” Some ambassadors from Caesarea in Judaea bribed him to beg from Nero a letter invalidating the rights of the Jews in the city. Beryllus went to the Emperor and obtained permission for the letter to be written. Here Nero does not seem to have written the letter himself; but equally Beryllus had no authority of his own and could only make a request to Nero.⁹² In one passage alone do we find something approaching a clear statement of the *ab epistulis*’ duties, the words of Statius addressed to Abascantus.⁹³ These show him sending off *mandata* (instructions)—“to send far and wide into the great world the *mandata* of the Emperor, Romulus’ descendant” (*magnum late dimittere in orbem / Romulei mandata ducis*)—and also receiving news of events and, apparently, reports on individuals and making them known (*pandere*). But, unfortunately for the questions discussed here, Statius concentrates on the extent and nature of the correspondence passing through the *ab epistulis*’ hands, and does not illuminate his precise role, or its relation to that of the Emperor.

It is significant, however, that Beryllus for instance had been the *paidagogos* (tutor) of Nero, and a considerable number of *ab epistulis* in the next century and a half had primarily literary qualifications, for instance, Secundus, a rhetor, who was *ab epistulis* of Otho.⁹⁴ It is particularly noteworthy that a number of characters in Philostratus’ *Lives of the Sophists* occupied this post—for instance, Alexander of Seleucia (2, 5) or Hadrianos, who was offered it by Commodus when holding the chair of rhetoric in Rome (2, 10).⁹⁵ Were they there, as is often thought, to give expert advice on Greek affairs? That is not the implication of our sources. Philostratus says of Aelius Antipater, *ab epistulis graecis* under Severus, “Though there were many men who both declaimed and wrote historical narrative better than Antipater, yet no one composed letters better than he, but like a brilliant tragic actor ... his utterances were always in accordance with the imperial role. For what he said was always clear, the sentiments were elevated, the style was always well adapted to the occasion, and he secured a pleasing effect by the use of asyndeton.”⁹⁶ Philostratus also mentions that his relation, Philostratus of Lemnos, wrote a work “How to Write Letters” criticizing the *ab epistulis* Aspasius (also a rhetor) for writing in too obscure and rhetorical a style: “On being appointed *ab epistulis*

to the Emperor he wrote certain letters in a style more controversial than is suitable; and others he wrote in obscure language, though neither of these qualities is becoming to an emperor. For the emperor when he writes a letter ought not to use rhetorical syllogisms or trains of reasoning, but ought to express only his own will; nor again should he be obscure, since he is the voice of the law, and lucidity is the interpreter of the law.”⁹⁷ These passages of course make quite clear that in this period the *ab epistulis graecis* actually wrote the letters. The main emphasis (at least on the part of Philostratus) lies on the style. But the second passage in particular makes clear that the *ab epistulis graecis*’ responsibilities extended to the whole form of the letters, and hence inevitably to their effective contents. Much the same impression is given in the passage where Phrynichus talks of the responsibilities of the *ab epistulis graecis* under Marcus Aurelius, Cornelianus, to whom he addressed his work on Attic usage: after describing Cornelianus as “Giving the imperial law court a Greek and an Attic style” he continues, “For the Roman emperors, deeming you worthy of the greatest things, laid upon you the management of all the affairs of the Greeks, setting you up as a guard to themselves, ostensibly appointing you *ab epistulis (epistulae)*, but in truth taking you as a partner in kingship.”⁹⁸ Phrynichus certainly implies, though here one must make allowance for flattery of the addressee, that Cornelianus influenced the content as well as the working of imperial letters.

More specific evidence is not available. The interpretation of these passages, furthermore, is made more difficult by the fact that the numerous imperial letters in Greek known from inscriptions show no trace of a “literary” style. The contradiction cannot as yet be resolved.⁹⁹

We have even less evidence on the *ab epistulis latinis*. Indeed the only one we catch a glimpse of at work is Tarrutienus Paternus under Marcus Aurelius—he was sent on a mission to a tribe across the Danube. He was later praetorian prefect and also left a legal work, *de re militari*.¹⁰⁰ His legal knowledge (if he acquired it first) may have helped him to obtain the post; but the role of lawyers as assistants to the emperor belongs to the next subject, the functions of the *a libellis*. Before that one may note the equally unhelpful evidence of Dio that Marcius Agrippa, *a cognitionibus* and *ab epistulis* of Caracalla, was dismissed for drafting “immature lads” into the army.¹⁰¹

The question of the functions of the *a libellis* presents a major difficulty. The standard passage quoted is Seneca, *ad Polybium* 6, 5:

“You must give audience to countless number of men, countless petitions [*libelli*] must be dealt with; so great is the pile of business, accumulated from every part of the world, that must be carefully weighed in order that it may be brought to the attention of the most illustrious princeps in the proper order. You, I say, are not allowed to weep; in order that you may be able to listen to the many who weep—in order that you may dry the tears of those who are in peril and desire to obtain mercy from Caesar’s clemency, it is your own tears that you must dry.” Suetonius, however, says that Polybius was a *studiis*,¹⁰² and none of the other references to him mentions his post. Elsewhere in the *Consolatio* Seneca mentions Polybius’ literary distinction (8, 2–3; 11, 5) and says that this helped his rise to prominence—“long ago the love of Caesar lifted you to a higher rank, and your literary pursuits have elevated you” (6, 2); he also mentions Polybius’ occupations, “that is, *studium* et Caesar” (5, 2). Can we take it, as is normally assumed,¹⁰³ that Polybius was both a *libellis* and a *studiis*, being succeeded in the former post by Callistus, whom Zonaras (before mentioning the death of Polybius) calls “in charge of the *libelli* of petitions”?¹⁰⁴ If the external evidence gives no indication that Polybius was a *libellis*, what of the passage of Seneca? The mere mention of *libelli* is not decisive, for all officials (not to speak of landowners like Pliny, from their *coloni*)¹⁰⁵ were presented with these, though the only unambiguous first-century evidence of an imperial attendant reading *libelli* relates to Parthenius, the *cubicularius* of Domitian—“he does not read books [*libri*] but petitions [*libelli*].”¹⁰⁶ The passage shows clearly at least, both from its first phrase and the last sentence, that Polybius had actually to listen to the entreaties of individuals. Were the *libelli* which he was to “disponere” (deal with) intended for the Emperor? If the conclusion is probable, it is made so by the following clause, making clear that he arranged matters for the Emperor’s attention. If so, were these the *libelli* handed direct to the Emperor, like those mentioned above, and then laid aside to be dealt with later? Or did they reach the Emperor only via an official? The latter interpretation conflicts with the other known evidence, though is not for that reason necessarily wrong. But at any rate it is certain that even this passage, intended to flatter its addressee, does not give the slightest hint that an official dealt with the *libelli* in the first instance, in the sense of producing a “draft reply,” or something like it, for the emperor to approve.

If this passage is evidence for the functions of the a *libellis* (rather than the a *studiis*, about whose functions we have no other

evidence),¹⁰⁷ then it is the only concrete evidence we have. It is noteworthy, however, that in the second and third centuries the post was often held by jurists, first Volusius Maecianus,¹⁰⁸ then Aurelius Papirius Dionysius under Commodus,¹⁰⁹ Papinian,¹¹⁰ and possibly Ulpian.¹¹¹ A. M. Honoré has based a brilliant article on the assumption that the *a libellis* wrote the imperial answers himself¹¹²—and indeed finds some correlations between the verbal style of each lawyer in his own works and that of the rescripts in the period when he is thought to have held office. But the thing is too vague for real proof (and for lack of evidence on careers the argument is sometimes circular); moreover, what makes it more difficult, none of the works of any of these jurists belongs indisputably to a period before he held office. Here again we just do not know. Who actually wrote the immense number of rescripts in the Codex of Justinian remains a major topic of debate.¹¹³

The evidence is thus very sparse. But if we use for instance the analogy of the *ad legationes* or *a cognitionibus*, we should be careful about taking too elevated a view of the formal functions of these officials. The *ad legationes* of Gaius, Homilus, as he appears in Philo, attends the emperor and is sent to tell the Jewish delegation that they will be heard soon.¹¹⁴ The *a cognitionibus* appears in Dio and Philostratus with the job of arranging the order of cases before the emperor and summoning litigants into the *auditorium* (audience hall).¹¹⁵ Such functions could still give a man status, influence, and wealth. Lucian gives this description of the comparable post which he occupied in the court of the prefect of Egypt: “the initiation of court cases and their arrangement, the recording of all that is done and said, guiding counsels in their speeches, keeping the clearest and most accurate copy of the governor’s [*archōn*] decisions in all faithfulness and putting them on public record to be preserved for all time.”¹¹⁶ Moreover Philo describes in considerable detail how a prominent Alexandrian, called Lampon, “would stand beside the prefects when they were giving judgement and took the minutes of the cases which he introduced in virtue of his position,” and amassed a fortune by altering the records of the cases, receiving substantial bribes for his pains.¹¹⁷ This passage is of particular value in that it shows that the importance and influence of the subordinates of the great men were entirely compatible with the original decision or verdict having been made by the great men themselves, uninfluenced. What happened subsequently to that stage might be equally important.

What is argued here is, in essence, that if the evidence does not allow us to see administrative processes in concrete terms then it does not allow us to understand them at all. Administration is merely one facet of a social system. Where, as here, we are dealing with a social system totally foreign to our own experience, common sense, “judgement,” the making of reasonable assumptions about what “must have” happened, are all equally irrelevant, indeed positively misleading. One may make valid deductions from comparable procedures in other parts of the same social system, but no others.

However, some conclusions are possible. The imperial regime was the product of a society where decisions were reached, and authority exercised, by the unaided judgement of members of the ruling class. When one member of that class was elevated above the rest, the *res publica* gave him at first no assistants beyond the lictors and soldiers from the praetorian guard. He dealt directly, in person or by letter, with individuals of all classes and with the communities of the Empire. It took a long time for *officia* to form round him—and thus, so to speak, to reduce his political “exposure.” The gradual seclusion of the emperor had entirely intelligible causes. Until that happened, his personal employees performed functions which were in themselves relatively humble: they kept accounts, arranged and kept documents, called litigants into the audience hall, and either wrote letters to dictation or expressed a reply or decision in correct language. If, as some of them certainly did, they exercised power and influence, that was something which they shared with people of all social grades who happened to be close to the emperor. Maecenas,¹¹⁸ Sejanus,¹¹⁹ Narcissus the *ab epistulis*,¹²⁰ and Paris the dancer¹²¹ could all equally influence the promotion of senators. Influence and fortune lay open to anyone who enjoyed imperial favour; to give only one example, Aelius Aristides praises the grammarian Alexander of Cotiecum, teacher of the children of Marcus Aurelius, for using his position to shower benefits on cities and individuals—and never asking for cash in return.¹²²

It may seem incredible that emperors could have dealt personally with all the business that came to them. Those who were conscientious did indeed work very hard. They might, like Augustus or Hadrian or Marcus Aurelius, go on giving judgement through the night;¹²³ they continued to hold *cognitiones*, to receive embassies and write letters when at their villas,¹²⁴ on journeys, and on campaign. On the other hand, if they did not wish to do business, it was not done.

The cases of Tiberius on Capri and of Philo's long pursuit of, and vain confrontation with, Caligula are well known. On hearing the news of Vindex's revolt Nero issued no orders or rescripts for eight days;¹²⁵ about that time Vespasian advised Agrippa II to send a man to Nero for judgement—but when the prisoner got there he found the Emperor preoccupied, so he simply returned.¹²⁶ Trajan (so the *Historia Augusta* alleges) never answered *libelli* on principle;¹²⁷ Commodus gave almost no legal rulings; Caracalla was lazy about holding *cognitiones*, and when he proposed to do so, he might keep his senatorial *amici* waiting at the door from dawn till dusk.¹²⁸

It is possible, of course, that the picture our sources provide of the emperor dealing personally with people and communications is, while true in itself, ultimately totally misleading, in that vast ranges of imperial business were handled by the bureaux, in private, systematically concealed from the view of our literary sources. In the nature of the case no such proposition can ever be conclusively refuted. It can only be stated, firstly, that all the evidence we have points in the same direction; and, secondly, that there is evidence that it was not merely an observable fact but a principle that emperors should compose their own pronouncements, whether written or verbal. For we find Fronto writing to Lucius Verus about the Julio-Claudian emperors: "Which of them could address the people or the Senate in a speech of his own? Which could draw up an edict or a letter in his own words?"¹²⁹ As regards speeches this is in fact inaccurate, for Tacitus comments that Nero on his accession was the first emperor to need "borrowed eloquence" (*aliena facundia*)—Seneca's, as Dio states.¹³⁰ (Suetonius, however, records that a speech for delivery to the populace was found in Nero's *scrinium* [writing desk] after his death; the implication seems to be that he had written it himself).¹³¹ Seneca also wrote the letter which Nero sent to the Senate after the murder of Agrippina.¹³² Nero was clearly an exceptional case, as was Maximin the Thracian, for whom his friends wrote a speech.¹³³ So was Domitian, for it is in the chapter devoted to demonstrating his total lack of literary culture that Suetonius writes, "he composed letters, orations, and edicts, with the aid of the talents of others."¹³⁴ In the context this may mean no more than that others put his pronouncements into correct style (*formare*). But even if it means more than that, this, like the other evidence just quoted, is specifically an exception to a rule—and it is the rule which is significant.

Notes

* First published in *JRS* 57 (1967): 9–19. This chapter was read to the Oxford Philological Society on 1 November 1963. I intended to leave it unpublished, as being merely a first essay at a subject which would be an element in a larger work, eventually published as *The Emperor in the Roman World, 31 B.C.–A.D. 337* (1977), 2nd edition with Afterword (1992). On reflection it seemed better to make these ideas public and provoke criticism where necessary. I kept the original largely unaltered, though making a number of additions. I was very grateful for discussion with Mr. A. J. Holladay and Mr. T. D. Barnes, who also provided some extra material.

1. Dio 69, 6, 3.

2. Dio 55, 7, 2.

3. Suet., *Div. Claud.* 15; cf. *Div. Aug.* 97.

4. Suet., *Div. Vesp.* 23.

5. A. N. Sherwin-White, “Trajan’s Replies to Pliny: Authorship and Necessity,” *JRS* 52 (1962): 114–15 = (with very slight additions) *The Letters of Pliny* (1966), 536–57.

6. *CAH* X (1934), 686–87.

7. See, e.g., Suet., *Div. Aug.* 42; Dio 54, 11, 7; 59, 13, 5–7; Suet., *Cal.* 30; Jos., *Ant. Jud.* 19, 24–26; Martial, *de spec.* 20; Suet., *Div. Tit.* 8; *Dom.* 13; Dio 69, 6, 1; 16, 3; 71, 29, 4.

8. See Dio 54, 35, 2 (Suet., *Div. Aug.* 57; *CIL* VI, 456 = *ILS* 99, in absence); 57, 8, 6 (Suet., *Tib.* 34—Tiberius out of Rome on 1 January to avoid gifts); 57, 17, 1 (Tiberius, A.D. 17, refuses); 59, 24, 4 (A.D. 40, gifts given symbolically to chair of absent Gaius). It seems to have been this custom which Claudius abolished: Dio 60, 6, 3.

9. See D. Van Berchem, *Les distributions de blé et d’argent à la plèbe romaine* (1939), 164–65.

10. Suet., *Div. Aug.* 40. Compare Hadrian’s description of his procedure in conducting cases, *Dig.* 22, 5, 3, 3.

11. E.g., Daremberg and Saglio, s.v. “legatio,” 1035; *CAH* X, 687.

12. Philo, *Legatio* 179–83.

13. Dio 60, 33, 5. On Cilo, see D. Magie, *Roman Rule in Asia Minor* (1950), chap. 23, n. 4.

14. Spengel, *Rhetores Graeci* III, 423–24. The section ends, “then you will request him to assent to receive the decree.”

15. *P. Oxy.* 2435, lines 40–41: “Alexander handed over the decrees

and said ...”; cf. line 44.

16. *ILS* 140 = Ehrenberg and Jones, 69, lines 42–47.

17. *Syll.*³ 780 = Abbott and Johnson, *Municipal Administration*, no. 36 = Ehrenberg and Jones, 312.

18. *P. Oxy.* 2177; H. Musurillo, *Acts of the Pagan Martyrs* (1954), 10, fr. 2, col. ii, 1, 59–60.

19. *IG VII* 2711 = *ILS* 8792.

20. Suet., *Nero* 15.

21. *Dig.* 28, 4, 3 *praef.*

22. *Dig.* 4, 4, 38.

23. Told with varying details by Quintilian, *Inst.* 6, 3, 59; Suet., *Div. Aug.* 53; and Macrobius, *Sat.* 2, 4, 3.

24. Suet., *Div. Claud.* 37.

25. 8, 82, 1; 8, 31.

26. Philost., *V. Apoll. Tyan.* 5, 38.

27. Suet., *Dom.* 17.

28. *Corpus Gloss. Lat.* III, 31, 34. Cf. Justin, *Apol.* 2, 2 (a woman giving a *libellus*—*biblidion*—to the Emperor).

29. Rufinus, *EH* 10, 2; Sozomenus, *EH* 1, 16, 3–5; Socrates, *EH* 1, 8, 18–19.

30. Suet., *Div. Aug.* 88; cf. Dio, ed. Boissevain, II, 557. This in one of a number of items which Dio may have taken direct from Suetonius; see F. Millar, *A Study of Cassius Dio* (1964), 85–86.

31. *Legatio* 254, trans. Smallwood.

32. *Ibid.*, 331.

33. *Ibid.*, 304. Compare Jos., *Ant. Jud.* 18, 163–64: Tiberius reading a letter from the procurator at Jamnia, Herennius Capito—“having read this letter, the Emperor was deeply pained.”

34. 4, 12, 6–7.

35. 77, 18, 2.

36. *Jahreshefte Öst. Arch. Inst.* 45 (1960): Beiblatt, cols. 80–82, no. 7.

37. Dio 78, 4, 2–3.

38. Philost., *Vit. Soph.* II, 9. Compare Constantine’s reply to a letter from Eusebius, bishop of Antioch, Euseb., *Vita Const.* 3, 61, 1: “I have read with the greatest pleasure the letter which your sagacity

composed.”

39. Suet., *Div. Aug.* 45.

40. *HA, Marc. Aur.* 15. Compare *HA, Had.* 20, 11, “He wrote, dictated, listened, and, incredible as it seems, conversed with his friends, all at one and the same time.”

41. Suet., *Div. Vesp.* 21; cf. Philost., *Vit. Apoll. Tyan.* 5, 31.

42. Pliny, *Ep.* 10, 60, 107.

43. So Sherwin-White (n. 5), 120; *The Letters of Pliny*, 546.

44. *Corpus Gloss. Lat.* III, 33, line 32–33.

45. Suet., *Div. Vesp.* 22.

46. *HA, Sev. Alex.* 21, 6–8.

47. Vell. Pat. 2, 124.

48. Tac., *Ann.* 1, 11, 7.

49. Suet., *Div. Aug.* 101.

50. Suet., *Tib.* 76.

51. Eutrop. 9, 15, 2; Zosimus I, 62.

52. E.g., Suet., *Div. Aug.* 71, 87; *vita Horat.*, p. 45 Reiff.; Dio 71, 36, 2; *HA, Clod. Alb.* 2, 2. For other evidence on imperial private correspondence, see, e.g., Nepos, *Att.* 20, 1–2; Quint., *Inst.* 1, 6, 19; Marcus Aurelius, *Med.* I, 7.

53. Sen., *Ep.* 83, 15.

54. Dio 68, 3, 4; 5, 2.

55. Euseb., *Vit. Const.* 4, 8, text in 9–13; cf. Sozom., *EH* 2, 15, 1–5; Theodoret, *EH* 1, 24, 13–25, 11. Cf. H. Dörries, *Das Selbstzeugnis Kaiser Konstantins* (1954), 125–26.

56. Cavenaille, *Corp. Pap. Lat.* 238, with bibliography; cf. Syme, *Tacitus*, app. 7.

57. *AE* 1962, 183. Note the subscription of greeting at the end, “farewell, my Marsianus, very dear to me” (*vale mi Marsiane, karissime mihi*).

58. Suet., *Tib.* 42.

59. Epictetus 3, 7, 30. For the setting, see *JRS* 55 (1965): 142, 145, and Sherwin-White, *Letters of Pliny*, 477–78.

60. Suet., *Cal.* 18.

61. Suet., *Div. Claud.* 29.

62. Suet., *Nero* 10.

63. Sen., *de clem.* 2, 1, 2.
64. Pliny, *Ep.* 1, 10, 9.
65. *Frag. Vat.* 163.
66. *CJ* 1, 23, 3.
67. *HA, Com.* 13, 7.
68. *HA, Carus* 16, 8.
69. *CIL* III, 411 = *ILS* 338 = *FIRA*² I, 82.
70. *ILS* 6870 = Abbott and Johnson, no. 111 = *FIRA*² I, 103.
71. *OGIS* 519 = *IGR* IV, 598 = *CIL* III, 14191 = Abbott and Johnson, no. 141. See in general U. Wilcken, "Zu den Kaiserreskripten," *Hermes* 55 (1920): 1.
72. Philo, *Leg.* 258–60. Smallwood translates *hypebale* "dictated." The Loeb translation gives, "gave one of his secretaries instructions about answering Petronius."
73. Suet., *Div. Tit.* 6.
74. Suet., *Dom.* 13. For imperial dictation of a letter, cf. *HA, Max.* 12, 5. Lact., *de mort. pers.* 46, 5, records Licinius dictating to a *notarius* (stenographer).
75. Fronto, *Ad. M. Caes.* 4, 7 (Naber 70; Loeb I, 184; Van Den Hout 64).
76. *Legatio* 333–34.
77. *HA, Sev. Alex.* 31, 1.
78. *FIRA*² I, 93.
79. *IGR* IV, 1619b = *Syll.*³ 883.
80. Euseb., *Vit. Const.* 2, 46, 3; similar phrases appear in the numerous other letters quoted in this work.
81. Optatus., *App.* IX, ad fin.
82. Opitz, *Athanasius Werke* III, 1, doc. 34, ad fin. (p. 75).
83. *HA, Com.* 13, 7.
84. Dio 69, I, 4. The Loeb translation "signed" will not do, because ancient letters were not signed in this sense.
85. See S. I. Oost, "The Career of M. Antonius Pallas," *AJPh* 79 (1958): 113.
86. Evidence in *PIR*¹ N 18.
87. Evidence in *PIR*² I 229.
88. See F. Grosso, *La lotta politica al tempo di Commodo* (1964), esp.

113–14, 197–98.

89. Philo, *Legatio* 166–77.

90. Suet., *Div. Aug.* 67.

91. Dio 60, 34, 5.

92. Jos., *Ant. Jud.* 20, 183–84.

93. Statius, *Silvae* 5, 1, 86–87.

94. Plut., *Otho* 9.

95. See in general G. B. Townend, “The Post *ab epistulis* in the Second Century,” *Historia* 10 (1961): 375.

96. VS 2, 24.

97. VS 2, 33.

98. Phrynichus, *Ecloga* 379 (Lobeck cclvi; Rutherford).

99. There are, however, significant indications that the style of imperial letters became more discursive and “literary” from about the middle of the third century. Even if one disregards the long letter of Decius to Philippopolis “quoted” by Dexippus (*FGrH* 100 F 26), one may note the sentiments discursively aired by Valerian and Gallienus writing to Philadelphia in 255, *Anz. öst. Akad. Phil.-hist. Kl.* 93 (1956): 226, no. 8, and further developments in later Latin letters, the imperial letter to Tymanda (Abbott and Johnson, no. 151), the letter of Constantine to Ablabius about Orcistus (no. 154) or his rescript to the Umbri (no. 155).

100. See W. Kunkel, *Herkunft und soziale Stellung der römischen Juristen* (1952), 219–20; Pflaum, *Carrières*, no. 172.

101. Dio 78, 13, 4.

102. Suet., *Div. Claud.* 28.

103. P-W, s.v. “Polybius” (5).

104. Zonaras 11, 9–10 = Dio (Boiss.) 60, 30, 6b.

105. Pliny, *Ep.* 9, 15, 1.

106. Martial 11, 1, 5.

107. The normal supposition (e.g., O. Hirschfeld, *Die kaiserlichen Verwaltungsbeamten bis auf Diocletian*² [1905], 332–33; L. Friedländer, *Sittengeschichte Roms*⁹ [1919–21], 55; A. M. Duff, *Freedmen in the Early Roman Empire*² [1958], 157) is that the *a studiis* was some kind of “director of research” for the emperor. This is no more than a deduction from the common sense of *studia*. One might wonder whether the meaning is not better understood by taking it as a simple

plural of *studium* in the sense of “favour” or “support.”

108. Kunkel, *Herkunft*, 174–75; Pflaum, *Carrières*, no. 141.

109. Pflaum, *Carrières*, no. 181.

110. Kunkel, *Herkunft*, 224–25; Pflaum, *Carrières*, no. 220.

111. *HA, Pesc. Nig.* 7, 4.

112. “The Severan Lawyers: A Preliminary Survey,” *Stud. et Doc. Hist. et Iur.* 28 (1962): 162.

113. I have left this paragraph as originally written, while of course wanting to mention here T. Honoré, *Emperors and Lawyers* (1981) and the revised edition (1994), as well as referring to chapter 19 in this volume (review article on Honoré’s work).

114. Philo, *Legatio* 181.

115. Dio 75, 15, 5; Philost., *VS* 2, 30 (both of which show that the *a cognitionibus* normally acted on the emperor’s instructions); *VS* 2, 32. Cf. Hirschfeld, *Verwaltungsbeamten*², 331.

116. Lucian, *Apology* 12.

117. Philo, *In Flaccum* 130–34 (the text is not certain).

118. Dio. 55, 7, 4.

119. Tac., *Ann.* 4, 68, 2; Juvenal, *Sat.* 10, 78–79.

120. Suet., *Div. Vesp.* 4.

121. Juvenal, *Sat.* 7, 88–90.

122. Aelius Aristides, *Or.* 12 (Dindorf 32 = Keil, 15–16).

123. Suet., *Div. Aug.* 33; Dio 69, 18, 2–4; 71, 6, 1.

124. See esp. Fronto, *de feriis Alsiansibus* 3 (Naber 224–25; Loeb II, 4–5; Van Den Hout 212–13).

125. Suet., *Nero* 40.

126. Jos., *Vita* 408–9. Cf. *JRS* 56 (1966): 159 (= chapter 11 in volume I).

127. *HA, Macrinus* 13, 1.

128. *Dio* 77, 17.

129. Fronto, *ad Verum* 3, 7 (Naber 124; Loeb II, 138; Van Den Hout 117).

130. Tac., *Ann.* 13, 3, 3; Dio 61, 3, 1.

131. Suet., *Nero* 47: “Afterwards a speech composed for this purpose was found in his writing desk; but it was thought that he did not dare to deliver it for fear of being torn to pieces before he could

reach the Forum.”

132. Tac., *Ann.* 14, 11, 4; cf. Quint., *Inst.* 8, 5, 18: “As is the letter written by Seneca to be sent by Nero to the Senate on the occasion of his mother’s death.”

133. Herodian 7, 8, 3.

134. Suet., *Dom.* 20. Cf. *HA, Ael. Ver.* 4, 7: “and had finished composing, either by his own efforts or with the help of the rhetoricians, a very pretty speech.”

CHAPTER TWO

Trajan: Government by Correspondence



Introduction

One way in which it might be useful to think about the Roman Empire is to use the analogy of a living organism. To survive, the organism must do two things: firstly, it must take in enough food, water, and oxygen; and, secondly, it must receive, absorb, and respond to information. This chapter will not be concerned with the first task, that is to say, in the case of the Roman Empire, how it extracted enough resources either from its own subject population, or from foreign enemies, to maintain its governmental structure and its military forces, or to indulge in conspicuous expenditure at the centre. The reign of Trajan is of some interest in this connection, for the conquest of Dacia is the last in the history of Rome of which our sources claim that vast moveable spoils (*manubiae*) were removed from the conquered zone and brought to Rome; and we know that inscriptions on Trajan's magnificent new Forum proclaimed that it had been built *ex manubiis*.¹ Major conquests aside, in spite of all the excellent scholarly work devoted to taxation in cash or kind, in my view we have still not grasped the problems which are involved if we try to envisage, in practical and concrete terms, by what means vast quantities of coin were collected, and then either transported to Rome, re-distributed within the same province, or transferred to other provinces.² The minting of new coins (or the re-minting of old coins), to which so much attention has been devoted, is one aspect of this empire-wide exchange of value between the Roman state and its subjects. But it is only one aspect. How was it ensured that enough coin reached each of the legions, and each of the auxiliary units, scattered very unevenly across the Empire?

I leave that question there, because my topic relates to the second necessity for the functioning of the Empire, the gathering of information, its processing, the formulation of responses to it, and the sending out of the consequential instructions or decisions. I will be concerned almost entirely with internal communications, that is the flow of information or requests or problems from provincial

communities or provincial governors, or other officials, to the emperor, and how and in what forms he responded. The question of reports and information coming from outside the Empire will not be considered here.³

In this context too, it seems to me, we have not paid enough attention to the basic physical realities of communication and travel in the imperial period. Firstly, all the evidence which we have tends to show that it was normal for information to take several weeks, perhaps as much as two months, to travel from the frontiers of the Empire to the centre.⁴ If the Empire had really set up a signalling system, capable of carrying complex messages, along the main lines of communication, the speed of the flow of information and decisions might theoretically have been much faster. But the truth is that it had no such system.

Nor, in spite of occasional hints in the sources, did it have relays of messengers who were permanently organised and were able to pass messages and documents on from one to another.⁵ All our evidence for the first three centuries shows that the Empire also did not have at its disposal an organised transport system for official travellers or messengers: the term *cursus publicus* in fact only appears in the fourth century. What the imperial state deployed was something very different, namely a set of rights on the part of official travellers to requisition vehicles, animals, and guides and a corresponding set of obligations on the part of local communities to supply them. This network of rights and obligations was known in Latin as *vehiculatio*, and in Greek often as *angareia*, and was one of the most common sources of tension between the agents of the state and its subjects.⁶

The corollary of the very limited degree to which the state as such arranged for the transference of messages, requests, or complaints was that any material which was thought to require the emperor's attention had physically to be brought to wherever he was, either by groups of interested parties or by individual messengers. "Groups of interested parties" refers most obviously to embassies from provincial communities, bringing decrees passed by cities or provincial councils, delivering them to the emperor with an accompanying oration, and carrying back a reply which might be read out before a city council (*boulē*), or even a whole popular assembly (*ekklēsia*), when they returned. Individual messengers were concerned primarily when provincial governors, or other officials, sent letters to the emperor and received replies from him (or, in certain cases, did not receive any

reply).

It is clear, as we will see, that not only persons actually holding office but also individuals of high status could write letters to the emperor and might hope to receive replies. Lower-status individuals were forced either to present petitions (*libelli*) to the emperor, in the hope of his making a brief written reply, or, if they were at a distance, to have their petition (*libellus*) sent on with a letter despatched by an office-holder. As we will see, this latter procedure happens to be particularly well attested for Trajan's reign.

Three accidental circumstances give the reign of Trajan an exceptional significance for us, in looking at the evolution of imperial government by correspondence. One of these is of course the preservation of Pliny's correspondence with Trajan. But here, while it is the exchange of letters between Pliny, in Pontus and Bithynia, and Trajan which has always attracted the most attention, there is at least as much significance in the letters which Pliny sent to Trajan earlier, all of them in fact from quite early in his reign. They all, it seems, belong to periods when Trajan was out of Rome on the frontiers.

That brings in the second very significant feature of the reign. For a considerable proportion of his 19- to 20-year reign Trajan was absent from Rome and Italy. As Halfmann's invaluable study of imperial journeys shows,⁷ Trajan was absent, in Germany and Pannonia, from his accession as sole Emperor in January 98 to about October 99; from March 101 to the end of 102, for the first Dacian war; from June 105 to the winter 106/7 for the second Dacian war; and for the four years from October 113 to his death in Cilicia in 117. Approximately, therefore, some 9 out of the 19–20 years of his reign were spent away from Rome and Italy. As we will see, two documents happen to show also how letters could be written by the Emperor from places in Italy, but outside Rome: in this case both were written from Antium.

In the immediate context of Trajan's reign, that meant, firstly, that those who needed to send messages to him must have had to instruct their messengers to go either to Rome or wherever the Emperor was. Whether this information was necessarily available in advance, we do not know. At any rate we can find parties to a law-suit writing to Trajan in Dacia to ask him to take a case, which he duly does on his return;⁸ and, in Dio's well-known report, we hear of the earthquake which struck Antioch when Trajan was wintering there in 115/16 and caught embassies from all over the Empire which had gathered there.⁹ It follows from the Emperor's repeated preoccupation with frontier

campaigns that whatever governmental apparatus, or staff, he required for the performance of his imperial functions must systematically have travelled with him.

In that sense, Trajan foreshadows the pattern which became clearly established in the middle of the second century, and which continued unbroken up to the end of the fourth, whereby emperors conducted major military campaigns in person. Trajan's attempt to expand the Empire in the East, abortive as it was, also foreshadowed a preoccupation which was to dominate the discharge of their functions by the emperors until the same period.¹⁰ That meant that a particularly significant element now entered the imperial correspondence, namely the letter sent by the emperor on the frontier to the Senate in Rome. There is a neat symmetry in the fact that, in Trajan's case, the reign opened with his letter to the Senate, written (so Dio says) "in his own hand" from Germania Inferior;¹¹ while it ended, or came near to its end, with a stream of letters in 116, some written from Babylonia, in which he reported to the Senate on the conquest of peoples of whom those back in Rome had hardly heard. Dio narrates this as follows, just after he has recorded the famous moment at which the Emperor had reached the shore of the Persian Gulf:¹²

Yet he would declare that he himself had advanced further than Alexander, and would so write to the Senate, although he was unable to preserve even the territory which he had subdued. For this achievement he obtained among other honours the privilege of celebrating a triumph for as many nations as he pleased; for by reason of the large number of the peoples of whom he was constantly writing to them they were unable in some cases to follow him intelligently or even to use the names correctly.

Dio states clearly that a succession of letters reached the Senate from Trajan in the East. One of them, presumably announcing victories gained in the previous campaigning season, arrived in Rome in February 116. For it is recorded in the *Fasti Ostienses* that nine or ten days before the Kalends of March "laurelled letters" (*laureatae*) were sent to the Senate, causing Trajan to be voted the name *Parthicus*, thankgivings and offerings to the gods (*supplicationes*) to be voted, and public games (*ludi*) to be held. In early May, the fragmentary text records the arrival of another letter from Trajan.¹³

The third significant element in our conception of government by correspondence is that Trajan's reign is the earliest for which our legal

sources provide a substantial number of quotations of, or references to, legal pronouncements by the emperor. Thanks to the magnificent collection by G. Gualandi, *Legislazione imperiale e giurisprudenza*, which deserves to be much more fully used than it has been,¹⁴ these quotations and allusions are easily accessible. Though they are of course less numerous than those preserved for Hadrian, the Antonines, or the Severi, they still represent a significant body of text: to be precise forty-four individual citations (amounting to seven pages in Gualandi), of which four contain what are presented as verbatim quotations (two of these, however, repeat each other). Two aspects of the Emperor's fulfilment of his role stand out in this material: the prominence of replies to consultations by provincial governors (which are thus exactly analogous to, and contemporary with, Trajan's replies to Pliny in Pontus and Bithynia); and the deliberate expression of the imperial will through the formulation of the *mandata* (codes of instructions) given to governors (an aspect of the Emperor's role which also plays an important part in the exchanges with Pliny).

In this chapter I will look at three aspects of Trajan's correspondence as a vital aspect of his role as Emperor. The three aspects relate to, but are not quite identical with, the three distinctive features of the reign, and of our knowledge of it, which I have outlined: Trajan's very prolonged absences on the frontier; the two quite distinct bodies of material provided by Pliny's *Letters*; and the very important evidence from juristic sources.

I will deal first with communications with Trajan while on campaign; then with the juristic material, as a background to the correspondence between Pliny, as *legatus* (the governor of an imperial province) of Pontus and Bithynia, and Trajan, who at that period was in Rome; and finally with the nature of the exchanges between Pliny, as governor, and Trajan.

Trajan's Correspondence from the Frontier

As is well known, Trajan's reign as sole emperor began with the death of his adoptive father, Nerva, in January 98, while Trajan himself was *legatus* of Germania Inferior. The news of Nerva's death will obviously have reached Germania Superior first, and we learn from the *Historia Augusta* that Hadrian, who was then in Germania Superior as tribune of *legio XXII*, made every effort to be the first to carry the news north to Trajan. Iulius Servianus, as *legatus* of the province, tried to keep him back, apparently unsuccessfully. Hadrian was further delayed by

the breakdown of his *vehiculum* (wagon) but continued on foot, and did succeed in getting there before the *beneficiarius* sent by Servianus.¹⁵ The story is in fact of some real significance, firstly for the implied role (which is otherwise little attested) of *beneficarii* as messengers,¹⁶ and secondly for the hazards of travel. It is not entirely clear whether Hadrian will have been using a single official *vehiculum* for the journey from Moguntiacum, where the *legio XXII* was stationed, to the Colonia Agrippinensis, where we are told that Trajan heard the news.¹⁷ The distance is some 150 kilometres in a direct line, therefore surely at least three days' journey. It is perhaps more likely, if the story is true at all, that the reference is to the last of a series of *wagons* which he obtained under the system of *vehiculatio*, and that the journey which was completed on foot was the last stage. In either case, we are vividly reminded that the Empire had no long-distance signalling system, and that the flow of information, on which literally everything depended, was itself dependent on the hazards of movement by humans and animals.

As we have already seen, Trajan reacted appropriately, expressing his respect for the Senate by sending it a letter written in his own hand.¹⁸ He did not come to Rome itself, however, for more than a year and a half, first visiting Pannonia and the Danubian legions. It is into this quite prolonged period that we can fit quite a significant number of items of evidence, which show how long-distance correspondence, carried by messengers or ambassadors, played a vital role in the government and diplomacy of the Empire.

It is of considerable importance that, as Sherwin-White showed in his excellent *Commentary*, the majority of Pliny's personal letters to Trajan fall into this period.¹⁹ At this stage Pliny was prefect of the Treasury of Saturn (*Praefectus Aerarii Saturni*), having been appointed by Nerva and Trajan during their joint reign. In 100 he would be suffect consul, nominated by Trajan. Did each and every one of the 600 senators now write a personal letter of congratulation to Trajan and presumably have it carried to the Colonia Agrippinensis by a messenger? Or was this required only of the more senior? At any rate, since the beginning of Trajan's sole reign resulted from the death of his adoptive father, tact was required in congratulating him and welcoming his rule (*epist.* 10.1):

It had indeed been the wish of your filial feelings [*pietas*], most sacred Emperor, that you would succeed as late as possible to your father. But the immortal gods have hastened to apply your virtues [*virtutes*] to

the reins of the state [*res publica*] which you had taken up. I pray therefore that for you, and through you for the human race, all things may turn out prosperous, that is worthy of your era [*saeculum*]. In both my private and my public capacity, I wish you, best of emperors, to be brave and confident.

How many individuals enjoyed a status which required them to send comparable letters to the distant Emperor, we do not know. No answer was required in this case. But it is quite clear that it was normal for provincial cities, or at least Greek ones, to send embassies of congratulation to a new emperor, and very often to ask at the same time for the confirmation of existing privileges, or to raise controversial matters.²⁰ The evidence is of course erratic and subject to chance. But we have two clear examples of embassies from Greek cities to which Trajan sent replies while he was consul for the second time and was holding the tribunician power (*tribunicia potestas*) for the second time. Both therefore date to before December 98. The two embassies of this year for which we have documentary evidence therefore made the journey, the one from Delphi and the other from Alexandria, either to Germania or to Pannonia (or, of course, they may have caught up with the Emperor on his journey between the two). Both of them involved the Emperor in composing replies to the city concerned, and also in sending letters to the relevant governors. In the case of Delphi, Trajan writes that he has confirmed the rights and the autonomy (*autonomia*) granted by previous emperors, and records that he has written (or sent orders) to his friend (*amicus*), the *proconsul* (governor of a public province) Herennius Saturninus, and to the *procurator* (financial officer).²¹ In the case of the Alexandrians, he also confirms their privileges and says that he has recommended them both to himself and to the prefect of Egypt, and his friend (*amicus*), Pompeius Planta.²² These two embassies, accidentally recorded, out of the hundreds which must have made the journey, therefore called between them for five imperial letters in response. The letters to cities were brought back by the embassies; those sent to officials were presumably carried by messengers.

We can certainly put in the same category the embassy from Prusa ad Olymum which Dio of Prusa discusses in his *Oration* 40, delivered before his fellow citizens (that is, in the popular assembly), “On Concord with the Apameans.” This embassy too had resulted in a letter from the Emperor, which had been “read out” when it arrived (either in the city council or the popular assembly). Dio states

explicitly that the embassy had been sent to congratulate the Emperor and also implies clearly that they had asked for benefits: but rumours circulated that they had not been favourably received, and that other cities had received actual gifts and had been granted improved rights.²³ Dio's sarcastic reference to the imputed idea that the Emperor might have been eagerly awaiting the arrival of their particular embassy perfectly fits a context in which literally hundreds of embassies will have been making the journey north to appear before him. As always, whether the cities of Italy and the Latin West will also have sent embassies to join this procession remains unclear.

The traffic from Greek cities certainly continued in the following year. In 99 Trajan confirmed the privileges of a synod based at the Isthmus of Corinth,²⁴ and in the same year wrote again to Delphi. By the time that he replied it was the first half of November 99, and he was able to write from an imperial villa at Antium.²⁵ The embassy must have started considerably earlier than that and will either have followed him on his journey back to Rome or have had the foresight to wait for him there. It was also from Antium that Trajan wrote the first of two letters to a man called Claudianus, who was resident at Pessinus in Asia Minor and was evidently of high social status. The date must either be autumn 99 to March 101; or early 107 to October 113.²⁶

It seems to have been either in the previous year (98), or more probably in the following year (100), that Trajan gave a response to the Smyrneans in a concise form without complete titles or the normal formulae of address and farewell.²⁷ The form of the document, inscribed at Aphrodisias, strongly suggests that this was a subscription (*subscriptio*), that is to say, a reply to a petition (*libellus*). Greek cities normally addressed the emperor in letters, carried by embassies, and received replies from him in the form of letters from him. So this case is an anomaly; but it may be explained by the analogy of the petitions from the cities of Apamea, Nicaea, and Amisus which Pliny was later to attach to various letters of his to Trajan (see text to n. 53 below). The subject of this subscription was a claim by Smyrna on the services of a citizen of Aphrodisias, and in some way which is not made clear a "testimony" from Aphrodisias had also reached Trajan. But if the communication from Smyrna had been a petition attached to the proconsul's letter, that would explain all the more easily why Trajan says in his reply that he has written also to Iulius Balbus, "my *amicus* [friend] and *proconsul*." Both documents will have been carried back

to the proconsul by a messenger. The date of Balbus' proconsulship is unfortunately uncertain as between 98 and 100, or even a year or two later.²⁸

The Emperor's reception of embassies during 99 and (almost certainly) during the first few days of his third consulate in 100 is also illustrated by the recently published fragments of two letters of his from Miletus.²⁹ The letters were almost certainly stimulated by a single embassy from Miletus, heard by the Emperor on probably more than one occasion, after his return to Rome in about October 99. At any rate the letter which was inscribed second dates to the period when Trajan was consul II, and designated III (so in the second half of 99); and that which was inscribed first was dated "Eight days before the Ides of January, from Rome," 6 January 100. Just enough survives of this letter to indicate that the context is the familiar competition for privilege among the cities of Asia.

If our evidence for imperial correspondence with Greek cities in the early years of Trajan's reign is slight, it is still extremely indicative. But, because of its uniqueness, there is much greater significance in the dossier of letters which Pliny sent to Trajan in this period, and which sometimes received replies, and sometimes did not. For a start, however successfully Trajan lived up to the model of the *civilis princeps* (a princeps who behaves like a citizen), as he clearly did,³⁰ it is very striking, as Hannah Cotton pointed out, that almost every one of Pliny's letters uses the words "to indulge" (*indulgere*) or "indulgence" (*indulgentia*).³¹ That is to say, vis-à-vis the Emperor, even a high-placed senator like Pliny adopted the rhetorical posture of a humble petitioner. These letters from the first part of *epist.* 10, which are familiar to all, yet are strangely neglected, will be worth a brief look. In *epist.* 2 Pliny is apparently referring to a favourable reply (*rescriptum*) which Trajan had sent to Iulius Servianus, in answer to his petition (*preces*) that Pliny, who was in fact childless, should receive the privileges granted to a parent of three children and more (*ius trium liberorum*); the moment was "at the opening of your auspicious reign." In *epist.* 3a Pliny asks for permission to act as the prosecutor of Marius Priscus during the prefecture of the Treasury of Saturn, to which he had been appointed jointly by Nerva's and Trajan's indulgence (*indulgentia vestra*); Trajan replies positively in a two-sentence letter (*epist.* 3b). We are certainly still in the period of his absence on the frontier. In *epist.* 4 Pliny begins again with the word *indulgentia*, and asks for senatorial status for Voconius Romanus; Trajan does not

reply.

In *epist.* 5 and 6 Pliny asks, once again using the word *indulgentia*, for the Roman citizenship for Harpocras, who needs the Alexandrian citizenship also as a precondition. Trajan replies positively in *epist.* 7 but asks to be informed as to which district in Egypt Harpocras came from “so that I may send on your behalf a letter [*epistula*] to Pompeius Planta, prefect of Egypt, my friend [*amicus meus*].” The transaction therefore involved three letters from Pliny and two from Trajan. The date is between mid-98 and mid-99, when Trajan was still on the northern frontier. Pliny’s letter (*epist.* 10) duly giving Harpocras’ district of origin was written when Trajan’s arrival (*adventus*) in Rome was imminently expected, so in the second half of 99. It seems to have been before this, and in anticipation of freedom during September from his duties at the treasury, that Pliny asked leave for that month to go to his estates in Umbria and received a favourable reply (*epist.* 8–9). Trajan was certainly still absent from Rome.

Sherwin-White seems to me to have been correct in deducing from a passage in the *Annales* that in Tacitus’ and Pliny’s time letters were written to the emperor only when the latter was absent from Rome.³² If so, it is very likely, as Sherwin-White further suggested, that the last four of the private letters to Trajan all belong in the period of the first Dacian war (101–2). In *epist.* 11 Pliny asks for the citizenship for some dependents; in 12 he asks for a praetorship for Accius Sura; and in 13 he asks for the augurate or the septemvirate for himself. None of the letters received any reply, and we should take it that all three requests were unsuccessful. When Pliny did finally receive the augurate (as we know from *epist.* 4.8) it was probably some three to four years later. In this connection it may be noted that in 101, after his departure on campaign, Trajan is recorded in the *Acts of the Arval Brothers* as writing a letter, with his seal on it, to his colleagues in the priesthood, apparently about the appointment of a public slave to their service.³³

Finally, in *epist.* 14 Pliny writes to Trajan to congratulate him on his victory in the Dacian war; if it is the first war, as it seems, the date will be 102, and the immediate occasion will be some time before Trajan’s return and his celebration of a triumph in December.

Far less evidence survives to illuminate the exchange of communications with the Emperor during either the second Dacian war of 105–6, from which he may not have returned to Rome until spring 107, or the Parthian war, for which he left Rome in October 113, never to return. From the Dacian war, however, we may note the

very striking report in Pliny's letters that the heirs in a case involving a disputed will, which pitted them against both an equestrian (*eques*) and a freedman and procurator of the Emperor, had written to Trajan in Dacia asking him to take the case, and he on his return had done so.³⁴ The context positively implies that the heirs were not people of the highest social status. Finally, as the only instance which we have (other than letters to the Senate, already mentioned) from the Parthian war, we may note the complex exchanges with Pergamum over setting up of a new "iselastic" *agon*, which date somewhere in the years 114–16.³⁵ Trajan had arrived in Syria in December 113.

The conduct of the Emperor's correspondence while he was on journeys through the provinces, or while he was staying in provincial cities or while on campaign, is a special case; for, firstly, it must have been conducted in the context of constant uncertainty as to where the Emperor actually was, or would be next. Secondly, it implies on the Emperor's part an extraordinary diversion of time and energy, plus the presence at all times of the necessary secretarial staff. But in other respects government at a distance, by means of letters, was simply the standard mechanism through which the Roman Empire worked. In particular, the governor of a province could communicate with the emperor only by letter, whether the latter was currently in Rome or on campaign.

Provincial Governors and the Emperor: The Legal Sources

Time and space are the essential elements which we have always to bear in mind if we are to understand the workings of the Empire. As we will see, a provincial governor received a code of instructions (*mandata*) from the Emperor before leaving (whether this code was handed over in person, or was sent in the manner of a letter, seems uncertain). But once he had set out, and while he was in his province, he could only receive further instructions, send information, or raise problems through the medium of letters carried by messengers, who might take several weeks in either direction (what, if any, escort a messenger had, and what happened if he died, deserted, or was killed by bandits is entirely obscure). We also need to recall that a governor was systematically, by the nature of his office, on the move between the major cities of his province.³⁶ The Emperor, for his part, might be absent on campaign, or might for extended periods be resident in Rome. Both parties, therefore, were potentially moving targets, whom the messenger might have to find, at the end of a journey whose

length might be quite indeterminate.

Pliny's correspondence with Trajan from Pontus and Bithynia of course represents our best evidence for exchanges between a governor and an emperor. But one central purpose of this chapter is to put that correspondence in the context of the important parallel evidence from Trajan's reign, mainly from legal sources.

Some of the evidence, however, in fact comes from Pliny himself, and some from inscriptions. Thus Pliny records two cases in which he participated in Trajan's council (*consilium*), both of which were prompted by letters written to the Emperor by provincial governors: in the one the governor had detected one of his companions (*comites*) in many improprieties (*flagitia*) and "wrote to Caesar."³⁷ In the other, the issue concerned the wife of a military tribune of senatorial status, who had committed adultery with a centurion. The husband wrote to the consular governor (*legatus consularis*) of the province, and he then wrote to Caesar.³⁸ Both cases will have been heard near the beginning of the only extended period which Trajan spent in Rome as Emperor, from 107 to 113.

By contrast, the case between the Delphians and the Ambrossians, which was heard by Avidius Nigrinus as (probably) a *legatus* in Achaëa, seems to belong to the very end of the reign, when Trajan was engaged on the Parthian war. Trajan had at some earlier point heard the issue himself ("cognoscens"), and had instructed ("iussit") Nigrinus to determine the dispute over boundaries in person, on the site.³⁹ Neither the sequence of events preceding Nigrinus' judgement nor the nature of the communications involved can be reconstructed. What is evident from the inscription, however, is the way in which the distant Emperor's decision forms the framework for the hearing of the case in Achaëa.

The quite extensive legal evidence from Trajan's reign provides very clear parallels for that, as well as offering evidence for other mediums for imperial decision making, which will not be discussed here. The most prominent is the laying down of legal rules by the issuing of edicts (*edicta*).⁴⁰ There is also one report which seems to reflect a trial (*cognitio*) held by Trajan, along with advisers.⁴¹ Ulpian also quotes verbatim the clause (*caput*) which Trajan caused to be inserted in the *mandata* which were given to provincial governors, concerning the much more liberal rules which were to apply to the drawing-up of valid wills by soldiers: "Following the benevolence of my disposition as regards my most excellent and most loyal fellow

soldiers, I have thought it right that consideration should be exercised in regard to their lack of knowledge [*simplicitas*].”⁴² Though, as I have suggested before, a systematic treatment of the *mandata* would be invaluable,⁴³ the topic will not be pursued further here.

Instead, we can move directly to Trajan’s rescripts (*rescripta*) addressed to recipients who are evidently provincial governors, and who in each case will (like Pliny) have taken the initiative in writing to consult him. The jurist Florentinus, for instance, quotes the extensive rescript (which is as long as the fullest of Trajan’s replies to Pliny) in which the Emperor tries to explain to Statilius Severus exactly under what conditions a soldier’s will, under the terms of the privilege (*privilegium*) given in the *mandata*, can be regarded as valid. There is no doubt that the explanation arises from a case before Severus: “therefore the soldier [*miles*], about whose property a question has been raised before you ...”⁴⁴ The question of military discipline, and the need to keep soldiers at their duties, is also conspicuous, just as it is in the exchanges with Pliny. Thus Trajan replied (“rescripsit”) to Minicius Natalis that “festivals [*feriae*] give a holiday only from legal transactions, but those duties which pertain to military discipline must be carried out even on festal days: among which the inspection of the prisoners [*custodiae*] is also included.” The occasion might have been either when Natalis was *legatus* in Numidia in 103–5 or when he was *legatus* of Pannonia Superior in 113 onwards.⁴⁵ Other rescripts concerned the physical and other qualifications for military service, especially where deliberate mutilation to avoid service had occurred,⁴⁶ while a whole series of rescripts addressed to named individuals who were evidently governors laid down rules for the conduct of criminal jurisdiction—for instance, whether a slave belonging to a husband could be tortured in a case relating to his wife.⁴⁷

But the closest and most vivid parallel to the self-expression of Trajan, as it is visible in his replies to Pliny, is certainly what he says in a rescript addressed to Didius Secundus on the proper handling of the goods of persons who had suffered the relatively mild form of exile known as *relegatio*. The second-century jurist Pomponius, in his fourth book *Ad Sabinum*, quotes the following clause (*caput*) from the rescript:⁴⁸

I am aware that, by the greed [*avaritia*] of previous times [the reign of Domitian], the property [*bona*] of persons relegated has been claimed for the imperial treasury [*fiscus*]. But different principle accords with

my clemency [*clementia*], and I, among the other steps by which the purity [*innocentia*] of my times [is demonstrated], have cancelled this practice also.

It is only rarely that (as with Minicius Natalis) any contemporary documentary evidence allows even a hypothetical identification of an addressee named in a legal source, or of his current post. Moreover, in some other cases of rescripts attributed to Trajan, no addressee is named at all. Alternatively, a provision which may well in fact have been embodied in a rescript sent in reply to an enquiry from a provincial governor may be described neutrally as an enactment (*constitutio*). Thus we come very close again to the world of Pliny's exchanges with Trajan when we read the following extract from Pomponius' sixth book of *Epistulae et Variae Lectiones*, preserved in the *Digest*:⁴⁹ "If anyone, in consideration of his own or anyone else's magistracy, has promised that he will construct a public building in any city, by the enactment of the divine Trajan there is an obligation on both him and his heir to complete it." The imperial rescripts sent to provincial governors were absolutely typical of the form of the contribution made by the emperors to the evolution of Roman law, in arising from individual cases but as expressing general principles. Thus, in spite of their specific origins, they could be, and often were, quoted by juristic writers, and thus came subsequently to be embodied in the *Digest* or *Institutes* of Justinian. But if we go back to the original contexts and problems which gave rise to these rescripts, we are immediately in the same world as that in which Pliny functioned as *legatus* of Pontus and Bithynia.

Pliny and Trajan

The correspondence between Pliny and Trajan has been discussed many times, above all by Sherwin-White in his major *Commentary*, and more recently by W. Williams.⁵⁰ It therefore need not be treated in detail here. Instead, I have produced a chart (see the appendix), which sets out the pattern of the correspondence in time and place. Firstly, as regards time, I am convinced by Sherwin-White's argument that the third year of Pliny's governorship must be 111: in reporting the vows (*vota*) of the army and the provincials in *epist.* 100, Pliny could surely not have ignored Trajan's assumption of his sixth consulship on 1 January 112.⁵¹ Secondly, the correspondence belongs in the one extended period when we know that Trajan was in Rome. Pliny was constantly on the move, but Trajan (even if he retired from time to

time to villas in Italy) was continuously in Rome. This is not therefore one of those instances, which must have become increasingly common, when both emperor and governor presented moving targets for whoever was carrying messages between them. Thirdly, all the exchanges in the correspondence were initiated by Pliny. He had received *mandata* from Trajan, which related among other things to military discipline, and to the rights—or absence of rights—of association on the part of the provincials: the latter clause had been embodied in the edict (*edictum*) which Pliny issued, and in response to which Christian groups had disbanded.⁵² But no further instructions or items of information are recorded as having reached Pliny from the Emperor (none the less, it is certain that there will have been some such communications; see Eck in n. 16 above). Fourthly, not all of the letters which Pliny sent received an answer. Fifthly, a conspicuous feature of Pliny's letters is that they quite often had attached to them petitions (*libelli*) submitted by interested parties; some came from private persons, but there were also, as we have noted earlier, others originating from cities: the colony of Apamea, the city of Nicaea, and the free city (*civitas libera*) of Amisus.⁵³

Sixthly, Pliny was permanently on the move. The question of the “capital cities” of provinces has been much discussed recently, notably in the massive and scholarly volume by Rudolf Haensch, *Capita Provinciarum*.⁵⁴ In this instance it turns out to be impossible to identify a capital city (*caput*) of the province from Pliny's letters. But in any case this particular province was a double one, composed of the bulk of one former Hellenistic royal territory, Bithynia, and of a truncated section, the north-western coastal region only, of another, Pontus. The major recent works by Stephen Mitchell and Christian Marek have set out the extraordinarily complex successive boundary changes which finally left Pontus, the eastern part of Pliny's province, as no more than an extended coastal strip reaching as far as Amisus, and one which was considerably smaller in area than the Pompeian province of Pontus had been.⁵⁵ Functionally, it seems from Pliny's letters that this Pontic zone was treated as a mere adjunct to the Bithynian part of the province. The chart shows that for the whole of his first year Pliny did not visit it at all. But it was, beyond all question, in Pontus, and not in Bithynia, that he encountered the problem of the Christians.

The letters forming the correspondence are grouped in the original text, as they are in the chart, by topic, with Trajan's reply, if there was one, following the letter to which it relates. One function of the chart

is to illuminate what proportion of Pliny's letters received no reply. Some but not all of those which received no reply were requests for favours, of a type which Pliny could have written (and indeed had written) earlier, while holding no office. One clear example is *epist.* 26, a request for preferment to be granted to Pliny's former quaestor, Rosianus Geminus. Trajan does not reply. Some of the requests, however, though of the same type, related specifically to persons who were under Pliny's command as *legatus*. A conspicuous case is *epist.* 106, the request for a grant of the Roman citizenship for the daughter of an auxiliary centurion. This one received a positive reply (107).

The grouping by letter-and-reply obscures the real chronology of the correspondence, as it will have presented itself to Pliny. The exchange of letters depended entirely on the movement of messengers; but none of these is ever explicitly referred to, except for two messengers (*tabellarii*), one sent by King Sauromates of the Bosporan kingdom and one by an imperial freedman named Lycormas. Both are despatched on to Trajan (*epist.* 63–64). If we assume a journey of six or eight weeks in each direction for a messenger, then none of the replies listed under year one will actually have reached Pliny until year two. Equally, if we think of the letters (35, 37, 39, 41, 43, 45, 47, 49) which Pliny sent off in January of year two, none of the replies will have arrived until long after *epist.* 52, written to mark Trajan's day of accession (*dies imperii*) on 28 January, had been despatched. Similarly, Trajan's brief acknowledgment (*epist.* 36) of the vows of 1 January in year two (35) will almost certainly not have arrived in Bithynia until about April.

Equally, it looks as if Pliny's tour of the cities of Pontus began after he had sent off his first letter of year two congratulating Trajan on his birthday (*natalis*) on 18 October (*epist.* 88). It would thus seem very likely that when the messenger returned with Trajan's reply (84) on the right of Nicaea to claim the property of citizens who died intestate (*vindicatio bonorum*), Pliny will already have been in Pontus. A messenger who had assumed that when he got back he might find the *legatus* giving judgement in Prusa or Nicaea would thus have been faced with an extra journey of some 500 kilometres in order to catch up with him in the area of Sinope or Amisus. Even within the boundaries of the double province, therefore, a messenger moving at a reasonable speed will have needed some ten days to travel from the main cities of Bithynia to those of Pontus. We do have to keep these considerable distances constantly in mind. When Pliny was

considering the water supply of the colony of Sinope (*epist.* 90), he was some 2,400 kilometres distant from Trajan as the crow flies. No one in the modern world seems to have asked what route to Rome and back the messenger will have taken, or what part of the journey, if any, will have been made by sea. Pliny, for his part, when he was travelling to the province, had made a sea voyage round Cape Malea, presumably starting from Brundisium, and had landed at Ephesus, continuing by land through Pergamum, and then (rather surprisingly) reverting to coastal shipping until he reached Bithynia (*epist.* 10.15–17b). A messenger travelling west from Sinope towards Rome could have made the first part of the journey either by land or sea. After that, he might perhaps have followed Pliny's route in reverse, or more probably have taken the Via Egnatia, or alternatively the major route by land from Byzantium via Philippopolis, Naissus, and Sirmium to northern Italy and Rome. In this instance, even sixty days, or two months, for the journey in each direction, by whatever route, might well seem an underestimate.

Conclusion

The letters which Pliny sent to Trajan from Pontus and Bithynia, and Trajan's replies, have always attracted interest. But I suggest that if we see them in perspective, against a wider background, they actually become not less but more interesting. One sense of the word "background" in this context is what we know of all the other forms of correspondence which pursued the Emperor wherever he was, including those letters which Pliny himself had written to Trajan in the early part of his reign. But a more important sense of "background" is that of the vast spaces of the Roman Empire, across which messengers and ambassadors had to travel, if words intended for the Emperor were ever to reach him. Those distances themselves imposed delays in time which it is genuinely hard now to comprehend, and to take into account. It is not easy for us to grasp the constant flow of messages, complaints, and documents involving complex local issues emanating from the provinces, and of replies embodying the ideology, the propaganda, the values, and the preferences of the imperial will, or the fact that these had to be carried slowly either by ambassadors or by couriers on horseback using wagons (*vehicula*), and travelling backwards and forwards across literally thousands of kilometres, between the provinces and wherever the Emperor was, whether in Rome or in another province, or (on occasion) beyond the frontiers of the Empire. But they were so

carried, and there is a real sense in which it was the writing and transmission of these letters which made the Roman Empire what it was.

Appendix Pliny and Trajan: Time and Place *Epistulae* book X

<i>Time</i>	<i>Letter</i>	<i>Author</i>	<i>Subject</i>	<i>Place</i>
Year I (A.D. 109?)				
	15	P	Journey	
	16	T		
17–18 October	17a	P	Arrival. Trajan's birthday. Finances of Prusa	Prusa
	17b	P	Land surveyor	
	18	T		
	19	P	Prisoners	
	20	T		
	21	P	Gavius Bassus, prefect of the Pontic shore ("he replied that he will write to you")	
	22	T	("Gavius Bassus wrote to me as well")	
	23	P	Public bath	Prusa
	24	T		
24 November	25	P	Servilius Pudens, Pliny's <i>legatus</i>	Nicomedia
	26	P	Rosianus Geminus	

			(recommendation)	
	27	P	Maximus, freedman procurator, request for <i>beneficiarii</i>	
	28	T		
	29	P	Recruits	
	30	T	("following my own instructions")	
	31	P	People sentenced to capital punishments in the cities	
	32	T		
	33	P	Fire at Nicomedia	Another part of the province
	34	T		
Year II (A.D. 110?)				
1 January	35	P	Vows	
	36	T		
	37	P	Aqueduct	Nicomedia
	38	T		
	39	P	Building projects	(Nicaea, Claudiopolis)
	40	T		
	41	P	Canal project	Nicomedia
	42	T		
	43	P	City expenditures	Byzantium
	44	T		
	45	P	Travel permits	
	46	T		
	47	P	Accounts of the colony (with the Apameans' petition)	Apamea

	48	T		
	49	P	Temple of Magna Mater	Nicomedia
	50	T		
	51	P	Caelius Clemens (appointment to Bithynia)	
28 January	52	P	Anniversary of Trajan's accession	
	53	T		
	54	P	Public funds (of cities)	
	55	T		
	56	P	Criminal cases	
	57	T		
	58	P	Assizes. Flavius Archippus	Prusa?
	59	P	Flavius Archippus (with petition of Archippus)	
	60	T	(Mentioning petitions of Archippus and of Furia Prima, accuser)	
	61	P	Canal project	(Nicomedia)
	62	T		
	63	P	Messenger of King Sauromates	
	64	P	Messenger (Sauromates'	

			letter to Trajan)	
	65	P	Foundlings	
	66	T		
	67	P	Ambassadors of Sauromates	Nicomedia
	68	P	Transfer of human remains	
	69	T		
	70	P	Building projects	Prusa
	71	T		
	72	P	Status of children	
	73	T		
	74	P	Callidromus, runaway slave	
	75	P	Julius Largus, from Pontus	(Heraclea, Tium)
	76	T		
	77	P	Need for centurion on police duty? (reference to instructions to Calpurnius Macer, <i>legatus</i> of Moesia Inferior)	(Iuliopolis)
	78	T		
	79	P	Councils of Bithynian cities. Lex Pompeia	
	80	T		

	81	P	Cocceianus Prusa Dion (81, 3: “I replied that I would hear the case in Nicaea”)	
			(81, 7: Petition of Dion attached)	
	82	T		
	83	P	Cover letter with attached petition of the people of Nicaea	
	84	T		
	85	P	Maximus, a freedman	
	86a	P	Gavius Bassus	
	86b	P	Fabius Valens	
	87	P	Request on behalf of son of Nymphidius Lupus (87, 3: testimonials of Iulius Ferox and Iulius Salinator)	
18 September	88	P	Trajan’s birthday	
	89	T		
Tour to Pontus				
	90	P	Aqueduct	Sinope
	91	T		

	92	P	Rights of a free city (petition attached)	Amisus
	93	T		
	94	P	Privileges of a parent of three children for Suetonius	
	95	T		
	96	P	Christians	(Pontus)
	97	T		
	98	P	Drainage	Amastris
	99	T		
Year III (A.D. 111?)				
1 January	100	P	Vows	
	101	T		
28 January	102	P	Anniversary of Trajan's accession	
	103	T		
	104	P	Request for full citizen rights for Latin freedmen	
	105	T		
	106	P	Request for citizenship for daughter of centurion (petition attached)	
	107	T	["I have sent you the subscribed petition which you are to forward to	

			him”)	
	108	P	Exaction of	
			money by	
			cities	
	109	T		
	110	P	Recovery	Amisus
			of money	
			from Iulius	
			Piso	
	111	T		
	112	P	Lex	
			Pompeia	
			and city	
			councils	
	113	T		
	114	P	Lex	
			Pompeia	
			and	
			conferment	
			a city’s	
			citizenship	
			on	
			outsiders	
	115	T		
	116	P	Cash	
			distributions	
			in cities	
	117	T		
	118	P	Rewards of	
			athletes	
	119	T		
	120	P	Travel	
			permits	
	121	T		

Notes

* First published in J. Gonzalez, ed., *Traiano Emperador de Roma* (Madrid, 2000), 363–88.

1. For a late report of vast spoils removed from Dacia, Lyd., *Mag.* 2.28; see A. C. Bandy, *Ioannes Lydus on Powers* (Philadelphia, 1982), 126, and notes on pp. 299–300. For the inscriptions on the Forum Traianum, see Gell. 13, 25, 1. See now the major work by James E. Packer, *The Forum of Trajan in Rome I–III* (Berkeley, 1997).

2. For some brief observations, F. Millar, “Les congiaires à Rome et la monnaie,” in A. Giovannini, ed., *Nourrir la plèbe: hommage à D. van Berchem* (Basel, 1991), 143–59 (for a translation into English, see chapter 5 in this volume). For the wider issue of the diffusion of value through taxation and expenditure, see K. Hopkins, “Taxes and Trade in the Roman Empire (200 BC–AD 400),” *JRS* 70 (1980): 101–25, and C. Howgego, “The Supply and Use of Money in the Roman World, 200 BC to AD 300,” *JRS* 82 (1992): 1–31.

3. See F. Millar, “Emperors, Frontiers and Foreign Relations, 31 BC–AD 378,” *Britannia* 13 (1982): 1–23 (chapter 9 in this volume), and “Government and Diplomacy in the Roman Empire during the First Three Centuries,” *International History Review* 10 (1988): 345–77 (chapter 10 in this volume), along with A. D. Lee, *Information and Frontiers: Roman Foreign Relations in Late Antiquity* (Cambridge, 1993).

4. See, e.g., R. Duncan-Jones, *Structure and Scale in the Roman Economy* (Cambridge, 1990), chap. 1: “Communication-Speed and Contact by Sea in the Roman Empire.”

5. The most concrete reference to such a system is provided by Suet., *Aug.* 49.3: “[I]n order for him [Augustus] to be more speedily informed of what was happening in each and every province he had at first relays of young men stationed along military roads at short intervals, and later on of vehicles.”

6. The best collection and discussion of the evidence remains S. Mitchell, “Requisitioned Transport in the Roman Empire: A New Inscription from Pisidia,” *JRS* 66 (1976): 106–31. The subject would deserve a comprehensive treatment.

7. H. Halfmann, *Itinera Principum: Geschichte und Typologie der Kaiserreisen im Römischen Reich* (Stuttgart, 1986), 184–88.

8. Plin., *epist.* 6, 31, 8–9; see further below.

9. Dio 68, 24–25.

10. C. S. Lightfoot, “Trajan’s Parthian War and the Fourth-Century Perspective,” *JRS* 80 (1990): 115–26; F. Millar, *The Roman Near East, 31 BC–AD 337* (Cambridge, Mass., 1993), 99–100.

11. Dio 68, 5, 2.

12. Dio 68, 29, 2–3.

13. See L. Vidman, ed., *Fasti Ostienses*² (Prague, 1982), 48.

14. G. Gualandi, *Legislazione imperiale e giurisprudenza I–II* (Milan, 1963). The pronouncements of Trajan preserved in legal sources are to

be found in vol. I, 17–23.

15. *Hist. Aug.*, v. *Had.* 2.5–6.

16. See most recently J. Ott, *Die Beneficiarier: Untersuchungen zu ihrer Stellung innerhalb der Rangordnung des römischen Heeres und zu ihrer Funktion* (Stuttgart, 1995), which however does not note this passage, and J. Nelis-Clément, *Les Beneficarii: militaires et administrateurs au service de l'Empire (Ier siècle a.c.–VIe siècle p.c.)* (Paris, 2000), 71–73. For communications from emperors, consuls, or Senate to governors and communities in the provinces, and for the types of messenger employed, see now W. Eck, “I sistemi di trasmissione delle comunicazioni d’ufficio in età altoimperiale,” in M. Pani, ed., *Epigrafia e territorio: Politica e società. Temi de antichità romane IV* (Rome, 1996), 331. I am grateful to Dr. B. Rankov for discussion of the evidence relating to *beneficarii*.

17. *Eutr.* 10, 2, 1.

18. See n. 11.

19. A. N. Sherwin-White, *The Letters of Pliny: A Historical and Social Commentary* (Oxford, 1966), 556–80. There is no discussion of the character of the private letters as such.

20. See F. Millar, *The Emperor in the Roman World (31 BC–AD 337)*² (London, 1992), 410–20.

21. *Fouilles de Delphes* III.4 (Paris, 1970), no. 287; J. H. Oliver, *Greek Constitutions of Early Roman Emperors from Inscriptions and Papyri* (Philadelphia, 1989), no. 44.

22. *P. Oxy.*, no. 3022; Oliver, no. 46.

23. *Dio Chrys.*, *Or.* 40, 13–15.

24. Oliver, no. 47.

25. *Fouilles de Delphes* III.4, no. 288; Oliver, no. 45.

26. Oliver, no. 50. The idea that this letter might date to the last few years of Trajan’s reign is not tenable.

27. J. M. Reynolds, *Aphrodisias and Rome* (London, 1982), no. 14; Oliver, no. 48.

28. See *PIR*² I 199; B. Thomasson, *Laterculi Praesidum I* (Göteborg, 1984), 220.

29. N. Ehrhardt and P. Weiss, “Trajan, Didyma und Milet. Neue Fragmente von Kaiserbriefen und ihr Kontext,” *Chiron* 25 (1995): 315–53; *AE* 1995, nos. 1498–1500. A small fragment of another letter is also included.

30. A. Wallace-Hadrill, "Civilis Princeps: Between Citizen and King," *JRS* 72 (1982): 32–48.

31. H. Cotton, "The Concept of *indulgentia* under Trajan," *Chiron* 14 (1984): 245–66.

32. Sherwin-White (n. 19), 578, on Tac., *Ann.* 4.39.1: "[I]t was customary at that time to address him in writing even when he was present."

33. H. Henzen, *Acta Fratrum Arvalium* (Berlin, 1874), cxliii–cxliv; J. Scheid, *Recherches archéologiques. Les copies épigraphiques des protocoles annuels de la confrère arvale (21 av.–304 ap. J-C)* (Rome, 1998), 180, Trajan b fr. 1.

34. Plin., *epist.* 6, 31, 8.

35. *Ins. v. Pergamon* II, 1895, no. 269; *IGR* IV, no. 336; Oliver, no. 49.

36. For the best discussion, see still G. P. Burton, "Proconsuls, Assizes and the Administration of Justice under the Empire," *JRS* 65 (1975): 92–106.

37. Plin., *epist.* 6.22.2: "Caesari scripsit." The reference to wrongdoing on the part of "his companion" (*comes suus*) makes it safe to assume that the writer was a provincial governor.

38. *Epist.* 6, 31, 4–6.

39. *Fouilles de Delphes* III.4, no. 292.

40. As noted above, the evidence is presented by Gualandi (n. 14). *Edicta* of Trajan: *Frag. de iure fisci* 6; *Inst.* 3, 7, 4; *Dig.* 34, 9, 5, 20; 47, 11, 6, 1; 49, 14, 13 *pr.*-1, with further references to the favour (*beneficium*) conferred by Trajan (evidently in this same *edictum*) in 49, 14, 13, 6 and 8; 15, 3; 16; 42 *pr.* ("according to the enactment of the divine Trajan"); 49.

41. *Dig.* 37, 12, 5 (mentioning the advice of Neratius Priscus and Aristo).

42. *Dig.* 29, 1, 1 *pr.*

43. Millar (n. 20), 641–43.

44. *Inst.* 2, 11, 1.

45. *Dig.* 2, 12, 9; see *PIR*² M 619.

46. *Dig.* 49, 16, 4 *pr.*; 4, 5; 4, 12.

47. *Dig.* 48, 18, 1, 11 (on the torture of a husband's slave *in caput uxoris*); 12; 19; 21; 19, 5 *pr.*

48. Dig. 48, 22, 1.
49. Dig. 50, 12, 14.
50. W. Williams, *Pliny the Younger, Correspondence with Trajan from Bithynia (Epistles X)* (Warminster, 1990).
51. Sherwin-White (n. 19), 81.
52. Pliny's *mandata*: *epist.* 10, 22, 1 (disposition of soldiers); 30, 1 (levying of recruits); 56, 3 (non-restitution of those exiled by *relegatio*); 96, 7 ("since the promulgation of my own *edictum*, in which, following your *edicta*, I forbade the forming of associations [*hetaeriae*]"); 110–11 (prevention of donations from city funds).
53. Petitions from individuals: *epist.* 10, 59 (petitions of Flavius Archippus and his accuser, Furia Prima); 81 (petition of Cocceianus Dion); 106–7 (petition of P. Accius Aquila, centurion of the sixth mounted cohorts). Petitions from cities: 47–48 (petition of the people of Apamea); 83 (petition of the people of Nicaea); 92–03 (petition of the people of Amisus).
54. R. Haensch, *Capita Provinciarum: Statthaltersitze und Provinzialverwaltung in der römischen Kaiserzeit* (Mainz, 1997). For the assize system (*conventus*), see the discussion on pp. 18–19. For Pontus and Bithynia, see the detailed treatment on pp. 282–90, rightly leaving the question of a "capital" of the province open.
55. See S. Mitchell, *Anatolia I* (Oxford, 1993), 61–62, with map 3 opposite p. 40; C. Marek, *Stadt, Ära und Territorium in Pontus-Bithynia und Nord-Galatia* (Istanbuler Forschungen 39, Tübingen, 1993).

CHAPTER THREE

The Fiscus in the First Two Centuries



The early Principate tends to be interpreted in terms of the constitutional forms in which it was clothed and the administrative innovations which it brought, to the neglect of those, largely unchanged, social and economic factors which shaped the actual working of Roman politics. In no area has this tendency been more obvious than in works dealing with the Fiscus, which has thus been seen as an alternative “state treasury” created at a given moment, by Augustus, perhaps in 21 or 20 B.C.,¹ by Tiberius,² or by Claudius,³ which absorbed the revenues of the imperial provinces,⁴ and some indirect taxes.⁵ It is also seen as an administrative unit (like a treasury, or a university chest) concerned with the handling of an area of public finance.⁶

None of these views is fully supported by the evidence. The proper historical standpoint for the understanding of the development of the Fiscus in the first two centuries of the Empire has never, to my knowledge, been clearly understood.⁷ The significant factor is the importance of the emperor’s private wealth in the running of the state. In the way in which that wealth was used for public ends, the Empire, as in all things, shows the practice of republican magnates writ large. Thus Augustus’ huge expenditure on public needs, detailed in the *Res Gestae*, was at once the culmination of one aspect of republican politics and the foundation of a permanent element in the structure of imperial finance. It is to these imperial funds that the word “fiscus” refers—and it is normally best translated as “the imperial estate.” There was no moment at which an institution called “the Fiscus” was created. The strictly correct way of describing what took place is to say that “fiscus” gradually became the predominant technical term used in speaking of the imperial wealth—and it is only in legal sources that it is used invariably. In literary sources, papyri, and inscriptions, other terms, *res familiaris*, *res dominica*, *patrimonium*—or just *pecunia sua* or *mea*—to *basilikon*, to (*ier*  *taton*) *tameion*, *ta auktoratorika chrēmata* are often used in contexts where “fiscus,” or, *o phiskos* in Greek, or cognate expressions, might have appeared.

The following discussion of the known uses of “fiscus” in the early

imperial period will therefore be at the same time a sketch, though necessarily no more than a sketch, of the various sources of income of the imperial estate, and of its role in public finance and in the life of the Empire. The subject, as will appear, has no immediate connection with the question of how the *Aerarium* (“state treasury”) was controlled or how the emperor administered the public revenues in his own provinces.

Imperial Properties

The starting point must of course be the well-known passage of Seneca: “Caesar disposes of everything; his *fiscus*, however, contains only private property [*privata*], his own [*sua*]: everything is subject to his rule [*imperium*] but only his own property [*propria*] is subject to the patrimony [*patrimonium*].”⁸ Seneca thus makes a formal correspondence between “*fiscus*” and “*patrimonium*”; attempts to explain away the plain meaning of the sentence cannot be accepted.⁹ Following on this, it is noteworthy how many other uses of “*fiscus*” illustrate the private-law position of the princeps as an owner of slaves and properties, a patron (*patronus*) of freedmen, and a party to ordinary commercial and legal transactions.

Like other citizens, the emperor received (subject to various modifications and exceptions) the savings (*peculia*) of his slaves on their death and half the savings of his freedmen; the enormous revenue which will thus have accrued must be responsible for the appearance of the *fiscus libertatis et peculiorum*.¹⁰ Suetonius relates how a freedman of Vespasian, Cerylus, attempted to evade the claims of the *Fiscus* by changing his name and claiming to be freeborn,¹¹ while the tombstone of another imperial freedman bears the words “nor does the *fiscus* have a claim to half a share”¹²—this portion of his property at least was to be free of the *fiscus*’ demands. A number of sections in the *Fragmenta de iure fisci* illustrate in detail the rights of the *Fiscus* to the property of imperial slaves and freedmen.¹³

A *familia* of slaves could be a source of expense as well as of income. Agrippa had his own gang of slaves for work on the Roman aqueducts and, when he died, left it to Augustus. On his death Augustus left this *familia* to the state, while Claudius formed another, twice the size, which remained imperial property. Caesar’s *familia* was supported “by the *fiscus*,” and the *Fiscus* also supplied the materials used by both.¹⁴ The *Fiscus*’ control of building materials is further illustrated by an inscription from the reign of Commodus which shows

the issue of materials at the price paid by the Fiscus to an imperial freedman, Adrastus.¹⁵ Some years later, in 211, one P. Aelius Chrestus is found buying part of a building in Rome from the Fiscus and having his ownership certified by a freedman financial official.¹⁶

The word “fiscus” appears frequently in connection with the ownership or tenancy of landed properties by the emperor. Pliny the Elder says that Augustus paid the city of Naples 20,000 sesterces per year “from his own *fiscus*” for the Collis Leucogaeus¹⁷ and also mentions that in his time the Fiscus ran the balsam plantations near Jericho and sold the crops.¹⁸ These plantations had an interesting history, described by Pliny as “royal lands” (presumably of the Seleucids); they were presented by Antonius to Cleopatra and rented from her by Herod.¹⁹ With the death of Cleopatra they probably fell to Octavian as booty and were retained as his private property.²⁰ A similar fate befell the Cyprus copper mines, which had been restored to Cleopatra by Antonius, became Augustus’ private property, of which he gave a half share to Herod,²¹ and were still imperial property in the middle of the second century when Galen collected specimens there.²² These properties perhaps fell to Augustus as spoils by analogy with *manubiae* (“spoils of war”). For, although the view has been expressed that *manubiae* were not the property of the *imperator*, but of the state, and that his rights were (in effect) restricted to the choice of some public purpose to which to devote them,²³ the evidence seems to me to prove the opposite, that the *imperator* did take *manubiae* as his property—and the role of *manubiae* as one source of Augustus’ expenses (*impensae*) as recorded in the *Res Gestae* is well known.²⁴ If much of the spoils of Egypt had to go to the soldiers or political allies²⁵ or be spent in Rome, some could be retained by Octavian himself and pass to his successors.²⁶ Again, the troops of Petilius Cerealis could support their demand for permission to sack the Colonia Trevirorum by offering to let all the booty go to the Fiscus.²⁷

Most wars in the Empire were not profitable (hence the increasing difficulty of supporting the army); only Trajan, by his conquest of Dacia, made a substantial gain and was able not only to have “from the spoils” (*ex manubiis*) inscribed on buildings in the Forum Traianum,²⁸ but also to acquire mines in Dacia, which we find being supervised by a procurator who was one of his own freedmen.²⁹

But to return to imperial properties. The well-known inscription of an imperial estate in Africa, the Saltus Burunitanus, shows the

peasants complaining of wrongs done to them “by the contractors of the ‘fiscal’ lands [*a conductorib(us) agrorum fiscalium*].”³⁰ An equally interesting and important inscription from Saepinum,³¹ one of the best examples of imperial “bureaucracy” at work, contains three letters concerned with imperial flocks in the Abruzzi. The first, in chronological order, is from an imperial slave, Septimianus, to Cosmus, the *a rationibus* (the official in charge of the accounts) of Marcus Aurelius, complaining of interference with “the lord’s sheep” (*oves dominicae*) by the officials of Saepinum and Bovianum and asking for the interference to be halted “lest the lord’s property [*res dominica*] suffers any loss.” Then Cosmus writes to the praetorian prefects requesting measures “so that by your favour the interest of the *fiscus* will be safeguarded,” and finally the prefects write to the magistrates of Saepinum warning them to abstain from conduct which will result in “a great loss to the *fiscus*.” A papyrus from the Hermopolite nome, dating from 135, shows a division of leased domain land (*ousiakon ktēma*) with a reference to payments to the Fiscus.³² Over and above these documentary uses there are numerous references in legal sources to the ownership or sale of land by the Fiscus.³³

Among imperial properties, mines occupied a specially important place. They might be gained by conquest, like those of Cyprus and Dacia, but there were other ways by which they might come to the emperor. A passage in Pliny’s *Natural History* implicitly illustrates some of these processes. After the Cyprus mines, he says, the best copper came from a mine owned by Sallustius Crispus in the Alps and the next best from one owned by Livia in Gaul. These two soon failed and were replaced by the Mons Marianus.³⁴ The historical sequence which lies behind this passage is clear. Sallustius Crispus died in A.D. 20, and some at least of his property passed, by inheritance or legacy, into imperial possession.³⁵ Livia died in 29 and Tiberius was her heir. Sextus Marius, the richest man in Spain, was condemned in 33 and his mines were taken by Tiberius.³⁶ An inscription shows a *silver* mine in Aquitania being worked by imperial slaves in Tiberius’ reign;³⁷ a procurator of Marius’ mine is attested in later years.³⁸

The best-known imperial mine is of course the Metallum Vipascense in Lusitania. The two inscriptions relating to it show that it was controlled by a procurator and that payments by the lessees of the shafts, and fines for the non-observance of the regulations, were paid to the Fiscus.³⁹ The system by which the shafts were leased

individually to contractors is the same as that found in the Dacian mines.

The Fiscus in Litigation

With the continuing expansion of fiscal properties, the question of the position of the Fiscus as a party to private contracts inevitably became of major importance. In the nature of the case the employees of the emperor could often prevent the processes of justice or ignore them altogether; and to become involved in litigation against the Fiscus, or to be a debtor to it, was a dangerous business. The situation is illustrated by one of the earliest literary references to the Fiscus, in Seneca's *de beneficiis*—the paragraph discusses when it is allowable to break a promise and when it is not (he would keep an engagement for dinner if it were cold but not if it were snowing, and so forth) and ends with the sentence, "I shall go down to act as guarantor, because I have promised; but not if you will ask me to act as a guarantor for an indefinite sum of money (or) put myself under an obligation to the *fiscus*."⁴⁰ Equally relevant is a passage in an oration by Dio Chrysostom, where he is defending his record as a citizen—among the malpractices of which he was not guilty was that of delating a fellow citizen for being in possession of estates belonging to the emperor.⁴¹

Debts to the Fiscus are frequently mentioned in the sources. Tiberius remitted the debts of Sardis "to the *fiscus* or the *aerarium*,"⁴² and if it seems improbable that a *community* could have become indebted to the imperial estate, instances can be given—the debts of Chios to the imperial procurators which were paid by Herod,⁴³ or the story in Philostratus of how Quirinius, the sophist, when the counsel for the Fiscus (*advocatus fisci*) in Asia, had unwillingly to take a case in which informers had denounced a small city for payment of a large sum.⁴⁴

But even in the Republic provincial communities could become indebted to individual Romans; Cicero, for instance, reports from Cilicia a case in which the Salaminii in Cyprus were in debt to two Romans, M. Scaptius and P. Matinius. Appius Claudius Pulcher had given Scaptius cavalry to help him exact the money.⁴⁵ The earliest instance of a communal debt to the Fiscus is perhaps the case mentioned in an inscription of A.D. 1/2 from Lykosoura, in Arcadia, when one Nicasippus "paid the *fiscus* from his own pocket."⁴⁶

Debts to the Fiscus tended to accumulate, and the *Historia Augusta* records that Hadrian remitted "huge sums of money owed by private

people to the *fiscus*.”⁴⁷ Dio mentions his remission of “debts to both the Fiscus and the Aerarium.”⁴⁸ It is not clear which of these remissions is referred to in the Roman inscription, proclaiming a remission by Hadrian, which uses the term “a debt to the *fisci*” (*debitum fiscis*).⁴⁹ It is possible that the reference is to arrears of taxation due to the provincial *Fisci* (and hence theoretically to the Aerarium)⁵⁰ or, perhaps, that “*fisci*” here is shorthand for “to the *aerarium* and the *fiscus*.”

One of the processes by which debts to the Fiscus were collected seems to be hinted at in the edict of Tiberius Iulius Alexander, where a reference is made to the selling-up of the property of people “who, allegedly, entered into contracts with people who collected back payments [*anabolika*] to the *fiscus*”:⁵¹ “*anabolika*” here can only mean “back payments”⁵²—the right to collect them was presumably sold to private persons. These processes are further illustrated by a papyrus from the reign of Commodus in which the prefect of Egypt writes to the *stratēgoi* of Thebais, Hepta Nomoi and Arsinoe, to say that goods sequestered in respect of debts to the Fiscus should be sold if the debts are not paid within six months.⁵³

The process by which the Fiscus gradually claimed more than the legal rights of private persons was thus a major source of tension. Tacitus, praising the early years of Tiberius, says “and when it came to disputes with private people, they were settled in a court of law.”⁵⁴ The phrase is taken up and expanded by Dio in commenting on the case of Lucilius Capito, the procurator in Asia under Tiberius: “It was not allowed at that time to those administering the Emperor’s property [*autokratorika chrēmata*] to do more than collect the prescribed revenues, and in case of dispute they had to plead in the *agora* according to the laws just like private people.”⁵⁵ Capito had given orders to soldiers and was punished for it. But in the same reign Herennius Capito, the procurator of Jamnia, an imperial property, was able to send troops to pursue the Jewish prince Agrippa to recover “300,000 pieces of silver owed by him to Caesar’s treasury in Rome”—clearly a private debt.⁵⁶ Thus Pliny in the *Panegyric* can praise Trajan at length for ensuring that justice was done in cases involving the Fiscus.⁵⁷

Emperors sometimes judged fiscal cases themselves, as Pliny hints in another passage: “[Y]ou did not sit in judgement to enrich the *fiscus*”;⁵⁸ a report on such a case before Marcus Aurelius appears in the *Digest*.⁵⁹ But in his main passage on fiscal cases (*Pan.*, 36, 4) Pliny

mentions what he calls “a tribunal ... invented for the Principate,” apparently a reference to Nerva’s institution of a praetor “who will pronounce judgement between the *fiscus* and private people” (*qui inter fiscum et privatos ius diceret*).⁶⁰ Nothing more is heard of this post.

Nothing shows more clearly both the volume of litigation in which the Fiscus was engaged, and its legal status, than the appearance of the post of counsel for the Fiscus (*advocatus fisci*), instituted by Hadrian.⁶¹ A private person could, but the state (or any part of it) could not, litigate and engage a legal adviser. The post was salaried and its occupants were not permitted to represent private persons, other than their close relations or orphans (*pupilli*), against the Fiscus.⁶² A counsel for the Fiscus (*advocatus fisci*) might be concerned with a particular area of Italy or the provinces,⁶³ with a single piece (*tractus*) of imperial property,⁶⁴ or with a certain type of imperial revenue.⁶⁵ While they were mainly concerned with representing the Fiscus in litigation, a couple of passages in the *Digest* show that they had the right to give judgement in cases where the freedom of a man who, if a slave, would be included with property due to the Fiscus was in question.⁶⁶

Apart from cases like that of Lucilius Capito, where legal processes were obviated by the simple use of force, the Fiscus gained in the course of the first two centuries a number of recognized privileges (a reflection not only of the increasing pre-eminence of the emperor but also of the importance attached to ensuring fiscal revenues). The most important privilege was that of *pr*  *topraxia*, which appears in Egyptian documents as the right to proceed against third parties who had acquired property from debtors to the Fiscus and in legal sources as an extended “right of seizure of property belonging to a debtor” (*ius pignoris*).⁶⁷ Similarly, the Fiscus had the right to satisfy its own claims before those of other creditors were met.⁶⁸ Of the numerous other privileges attested,⁶⁹ a few, of different types, can be given for illustration. Manumissions made with the purpose of defrauding the Fiscus were annulled.⁷⁰ The Fiscus took interest due from contracts but did not pay it;⁷¹ the interest it received was at a standard rate (6 per cent per annum), and where it succeeded to a creditor to whom a lower rate was being paid, the rate was raised.⁷² If a procurator of Caesar had promised double or triple restitution in the case of recovery by virtue of a superior title (*pro evictione*), he could none the less be held liable only for simple restitution.⁷³ The right of seizure of property belonging to a debtor arising from a sale of property to

someone under twenty-five was automatically available to the Fiscus—but to private persons only by the princeps' concession (*beneficium principis*).⁷⁴

While these and other privileges were established to protect the interests of the Fiscus, some regulations were made to prevent abuses and guarantee the rights of private persons. Some of these amounted to no more than an assurance (which could not be taken for granted) that normal legal rules would apply to the Fiscus—though even here special conditions were often immediately attached. Thus it is stated that it was possible to claim “balancing of accounts” (*compensatio*) in relation to debts to the Fiscus, but the claim had to be made within two months;⁷⁵ or again that where the Fiscus succeeded to a creditor the legal position remained unaltered, but only with regard to past transactions, for afterwards “it [the Fiscus] will keep its own prerogative.”⁷⁶ Delations for the benefit of the Fiscus were profitable and safe; so it had to be laid down that cases involving the status of persons dead more than five years could not be raised “either privately or in the name of the *fiscus*,”⁷⁷ or that the onus of proof in a fiscal case lay with the accuser.⁷⁸ Abuses could attend the actual execution of fiscal claims; so, for instance, Marcus Aurelius and Verus laid down that in selling-up property procurators should get a fair price “according to the present evaluation,”⁷⁹ while Severus and Caracalla sent a rescript to ensure that the “disposal by sale” (*distractio*) by a procurator of goods “in dispute” (*in controversia*) should be postponed.⁸⁰

Thus, even in his capacity as a property owner, the princeps steadily assumed a more and more privileged position by comparison with ordinary citizens—and, specific privileges apart, there was pressure on magistrates to look the other way when cases between private people and imperial procurators arose; “and certainly when it comes to a pecuniary case involving the *fiscus*, of a kind which is the concern of a procurator, he [the proconsul] will do well to abstain.”⁸¹ More significant, however, even than privileges of this type are the extra sources of income which the princeps acquired and which went to the Fiscus. In gaining these extra sources of income the Fiscus did not, however, absorb regular revenues due to the Aerarium. It took neither the tribute from imperial provinces nor any established indirect taxes. But the Fiscus benefitted from inheritances which fell to individual emperors and also took a share of various irregular sources of income, *bona caduca* (unclaimed property), *bona damnatorum*

(property of persons condemned on criminal charge), special taxes, fines, and penalties which might otherwise have gone to the Aerarium.

Legacies and Inheritances

Like prominent republican political figures, Augustus and his successors could expect to inherit or receive legacies from friends and political allies—and some emperors made it clear that they expected legacies from others as well.⁸² The word “*fiscus*” appears little in this connection, for, in accordance with the law, the heir or legatee had to be a person, a particular emperor. The only instance is where Suetonius mentions Nero’s regulation “that the wills of those who showed ingratitude to the Emperor should belong to the *fiscus*”;⁸³ that (under Domitian) the same fate awaited the property of the grateful and the ungrateful is clear from Pliny’s *Panegyric*: “No longer can a single heir inherit all, sometimes under the pretext that his name is there in writing, sometimes that it is not.”⁸⁴ It is clear enough that numerous properties which came to an emperor by legacy or inheritance remained the property of his successors as such.⁸⁵

Bona Caduca (Unclaimed Property)

The pressure to make testamentary dispositions in favour of the emperor affected, normally, only the upper classes in Rome. The Fiscus’ reception of *bona caduca*, however, was of far wider social application and occupies most of the space in legal sources on the Fiscus. It seems clear that like *bona damnatorum*, to be discussed below, *bona caduca* or *vacantia* (unclaimed or vacant property) was divided between the Aerarium and the Fiscus—thus Pliny, again in the *Panegyric*, has “Both the *fiscus* and the *aerarium* used to be enriched not so much by the *lex Voconia* and the *lex Iulia* as from the singular and unique charge of high treason [*maiestatis crimen*].”⁸⁶ The Lex Voconia of 169 B.C. forbade those in the richest class to make women their heirs and limited the proportion of legacies in a will.⁸⁷ “*Iuliae leges*” is probably a shorthand way of referring to both the *lex Iulia de maritandis ordinibus* (the Julian law regulating marriage between the social orders) and the *lex Papia Poppaea* (which legal sources sometimes refer to jointly as the *lex Iulia et Papia*). The Fiscus’ claim to *bona caduca* is first attested in the reign of Tiberius—“the property of the wealthy Aemilia Musa who died intestate was claimed for the *fiscus*”⁸⁸—and thereafter was well established. In the second century Artemidorus could use as a passing example the case where a man

dis, “his goods have been seized by the Fiscus,” and his wife is left to carry on a legal battle for their recovery.⁸⁹ The origin of this right, however, is not easy to determine. The preface to the main papyrus copy of the Gnomon (Code of Regulations) of the Idios Logos (the Private Account), which is largely concerned with the Fiscus’ claims to *bona caduca*,⁹⁰ begins by referring to the instructions “which the deified Augustus established for the administration of the Idios Logos” but does not mention him specifically in any of the later clauses. Strabo describes the Idios Logos as the official “who investigates [enquires into] the properties that are without owners and that ought to fall to Caesar.”⁹¹ It is probable that a Ptolemaic precedent was taken over directly, for, although it cannot be formally proved that the Ptolemaic Idios Logos received “properties that are without owners” (*adespota*), it is likely,⁹² and there are indications that the practice was known in the Seleucid territories also.⁹³ But exactly how the Fiscus’ rights to *bona caduca* entered Roman legal practice outside Egypt⁹⁴ is not at all clear. Tacitus says that the *lex Papia Poppaea* was brought in “to enrich the *aerarium*” and describes its effects with the words “so that ... properties without owners will fall to the people as a universal parent.”⁹⁵ In the reign of Trajan we find a system by which cases under the Lex Iulia et Papia were reported to the Aerarium, but the property concerned was liable to go to the Fiscus.⁹⁶ In 129 the Senate was concerning itself, in the *Senatus Consultum Iuventianum*, with the claims of the Fiscus to inheritances,⁹⁷ and various imperial constitutions of the second century had the same object.⁹⁸ All we can say, therefore, is that the Fiscus’ reception of *bona caduca* had some Hellenistic precedents, became recognized alongside the claims of the Aerarium in the course of the first century, and was established and predominant in the second. The right of the Fiscus to all *bona caduca* was first proclaimed by Caracalla.⁹⁹

In this connection two instances of what appear to be extensions of the principle may be noted. The Ptolemaic Idios Logos is most often attested receiving a “penalty” [*prostimon*] for the occupation and planting of desert royal land.¹⁰⁰ Vespasian perhaps followed this precedent in selling off unallotted portions (*subseciva*) of public land and taking the proceeds for the Fiscus.¹⁰¹ Then, in the first and second centuries A.D., we find the gradual emergence of a principle whereby treasure trove tended to fall to the emperor. The complexities of this subject are great, but it is clear at least that there are no known Hellenistic precedents.¹⁰² The earliest hint of the principle, if we leave out of account Nero’s treasure hunt in Africa, which is probably not

relevant, comes from Calpurnius Siculus, who describes how (in explicit contrast with some recent period) a man digging or ploughing can do so without the *fear* of striking some buried object.¹⁰³ Then we have the story of how Atticus, the father of Herodes Atticus, found “a fabulous treasure” in a house of his in Athens; he reported the find to Nerva and had to be reassured twice before feeling safe to keep it.¹⁰⁴ Juvenal, in his satire on Domitian’s council, enunciates the principle “whatever is rare and beautiful ... belongs to the *fiscus* ... it will be donated therefore lest it be lost.”¹⁰⁵ And in the second century various explicit regulations of the Fiscus’ claims were made.¹⁰⁶ Juvenal’s words may suggest that the right arose, by a familiar process, from the custom of sending rarities or valuable curiosities as presents to the emperor.¹⁰⁷

***Bona Damnatorum* (Property of Persons Condemned on Criminal Charge)**

With *bona damnatorum* much the same pattern of development can be traced—a possible Ptolemaic precedent and then a gradual intrusion of the Fiscus on the rights of the Aerarium, followed ultimately by formal recognition. There is some evidence that in the Ptolemaic period the property of condemned persons was taken by the king, that is by the Idios Logos.¹⁰⁸ The Gnomon of the Idios Logos lays down that the goods of those condemned on capital charges, or those who have gone into voluntary exile, should go to the Fiscus, with the exception of a tenth for each son and the cash dowries of their wives (plus a twelfth which Antoninus Pius allowed the condemned themselves).¹⁰⁹ Provisions for restoring their dowries to the wives of condemned men (or, possibly, debtors to the Fiscus) are also mentioned in the edict of Tiberius Iulius Alexander: “[D]owries, being the property of others and not of the husbands who received them, the deified Augustus has ordered—as also the prefects—that they shall be paid from the *fiscus* to the women.”¹¹⁰ The reference to Augustus makes continuity with Ptolemaic practice probable, but, as with *bona caduca*, does little to solve the problem of how the principle came to be applied outside Egypt.

The first clear case from Rome itself comes from the reign of Tiberius, the condemnation of C. Silius in 24: “[T]he emperor’s gifts were deducted and the claims of the *fiscus* were met one by one.”¹¹¹ But partial precedents might have been afforded by the cases of Cornelius Gallus in 26 B.C.—the Senate voted that he should be condemned and that his property should be confiscated and given to

Augustus¹¹²—or of Archelaus of Judaea; when the latter was condemned in A.D. 6, his property was confiscated for the benefit of the emperor.¹¹³ The words Tacitus uses in the case of Silius, however, seem to imply that the Fiscus' claims might arise from real or alleged benefits on the part of the emperor; the same principle was perhaps applied when, as it seems, the entire property of Seianus was taken for the *fiscus*—"Seianus' property was to be withdrawn from the *aerarium* and absorbed by the *fiscus*."¹¹⁴ Tacitus clearly regards this as improper, as he does in the case of Sextus Marius—"his copper- and gold-mines, although confiscated by the state, were appropriated by Tiberius."¹¹⁵ None the less, he could refer without comment two chapters earlier to the fact that the goods of the condemned were taken either by the Aerarium or the Fiscus,¹¹⁶ and the division between them is stated clearly by Pliny in a passage of the *Panegyric* quoted above (text to n. 86)—it was chiefly the charge of *maiestas* (treason) which enriched both Aerarium and Fiscus.

Once again the legal basis, if any, of the Fiscus' claims at this period is entirely unknown. Philo, however, in describing the condemnation of Flaccus, makes clear that some proportion of the property at least had to go to the Aerarium: "A clear proof of this [of Flaccus' great wealth] is that while a vast number of properties belonging to condemned persons was sold by public auction, that of Flaccus alone was reserved for the emperor, a few articles only being excepted so as not to run counter to the law enacted about persons convicted on these grounds."¹¹⁷ But the claims of the Fiscus continued to grow, and, as Josephus says of some Jews condemned in Cyrene in the reign of Vespasian, a governor could expect to have the rich prosecuted without check if he confiscated their property for the emperor.¹¹⁸ The Fiscus normally retained property it confiscated (in contrast to the Aerarium, which sold such properties), though an Athenian inscription refers to those who have bought the property of Hipparchus, and others, sold by the Fiscus.¹¹⁹ Attempts were made to check the process; thus Trajan wrote in a rescript, "I know that my predecessors' avarice claimed the property of the exiled for the *fiscus*, but something other befits my clemency."¹²⁰ Similarly, Hadrian noted that most governors had been in the habit of selling the personal effects of executed prisoners (*pannicularia*) and turning over the proceeds to the Fiscus—but that was overly conscientious.¹²¹ These were both of course extensions of the principle, but Hadrian (according to the *Historia Augusta*) went further in attempting to cut down the Fiscus' claims and announced that henceforward *bona*

damnatorum would go solely to the Aerarium (*damnatorum bona in fiscum privatum redigi vetuit, omni summa in aerario publico recepta*).¹²² His lead was not followed, and the legal sources make clear that the consequence of “confiscation of property by the state” (*publicatio bonorum*) was the reception of the goods by the Fiscus.¹²³

Fines and Penalties

From the taking of *bona damnatorum* it was only a short step to the taking of fines for lesser offenses. The Gnomon shows the Fiscus receiving penalties for breaches of status regulations,¹²⁴ and a number of scattered “penalties” (*poenae*) due to the Fiscus are attested in the *Digest* and the *Fragmenta de iure fisci*.¹²⁵ More interesting, and much more difficult to understand in legal terms, are cases where penalties become due to the Fiscus as a result of spontaneous private action. These cases divide into two types: contracts, where the parties agree in case of breach to pay a penalty (*prostimon*) to the Fiscus over and above what is paid to the injured party; and sepulchral imprecations, where a man has inscribed on his tomb a penalty (payable, usually, by anyone who puts in another body) which will be due to the Fiscus, or to a local community (or both); and in such cases a sum is sometimes also allotted to the informer who brings the case. The institution of the *prostimon* in private contracts is attested in Ptolemaic Egypt; the sum went to the king, but the force of the contract was in this respect, so far as is known, conventional rather than legal.¹²⁶ The same institution is found at Dura in the Parthian period; the formula of the penalty is “to the king’s treasury [*to basilikon*] the same amount.”¹²⁷ Documents of the Roman period from Dura show the institution continuing; a divorce contract of A.D. 204 has “and to the *fiscus* the same amount,”¹²⁸ and another from A.D. 254 a penalty paid “to the most sacred treasury” (*to iērotaton tameion*).¹²⁹ In Egypt, on the other hand, while the institution of the *prostimon* continues in contracts of the Roman period, it is paid “to the public treasury” (*to dēmosion*).¹³⁰ A clear example of the institution in the western provinces comes from an inscription recording a benefaction to the *collegium fabrum Narbonensium* (the social club of engineers in Narbo) in A.D. 149; the funds, if misused, were to revert “to the *fiscus* of the [our] great princeps.”¹³¹ But, while the facts are thus well attested, the legal basis of the institution remains entirely obscure.¹³² In spite, however, of the dubious legal basis of such penalties we do find a case, the long inscription relating to the bequest by Vibius Salutaris to Ephesus in 104, in which the proconsul of Asia approves the decrees of the city

relating to the benefaction and fixes fines, due to the Fiscus, for transgression: "I wish him [the offender] to pay forthwith a penalty to the temple of the greatest goddess Artemis 25,000 denarii and to the *fiscus* of our lord Caesar" (ll. 278–81).¹³³ Only two passages in the *Digest* refer to such penalties, and they contradict each other; in the one case an agreement to submit to arbitration (*compromissum*) has been made with the provision of a penalty (*poena*) payable to the Fiscus, but invalidly—"the *fiscus* acquires nothing under this judgement."¹³⁴ The other reference comes in the list of occasions of "denunciation before the *fiscus*" (*nuntiatio ad fiscum*) which forms the preface of Callistratus' *de iure fisci*—"or that a penalty is due to the *fiscus* under a private contract."¹³⁵ This is perhaps an interpolation.

Even greater difficulties attend the subject of sepulchral fines (*multae sepulchrales*). There is nothing to show that, even though they habitually specify particular sums to be paid, they had any basis in either Hellenistic or Roman law—and it is perhaps best to regard them as a convention of religious origin.¹³⁶ Although many of these inscriptions make the penalty payable to the Fiscus, various other beneficiaries are named: gods, local communities, *collegia* (associations), or the Aerarium.¹³⁷ The explanation of the custom cannot therefore lie in the nature of the Fiscus and we have no evidence as to how, if at all, the proceeds accrued to it.

Extraordinary Taxes

Finally, among the revenues of the Fiscus, come various exactions and irregular forms of taxation. Of these the most important is probably the *aurum coronarium* (crown gold). Only one text, and that a third-century papyrus, makes a formal statement that the *aurum coronarium* went to the Fiscus;¹³⁸ but it is clear from the nature of the institution, which was from the earliest times a personal gift from subject communities to a ruler or conqueror,¹³⁹ that the proceeds must have gone to the emperor himself, as they had to republican generals.¹⁴⁰ With the ever increasing frequency with which *aurum coronarium* was demanded, it must have been a major source of revenue.¹⁴¹ Then Caligula, when in need of cash, invented a number of taxes, including one on prostitutes;¹⁴² one and a half centuries later, in the reign of Commodus, we find soldiers in the Crimea collecting this tax and (apparently) paying it to the Fiscus.¹⁴³ That it in fact went to the Fiscus seems to be confirmed by the *Historia Augusta*, which relates that Severus Alexander diverted the proceeds of it from his private

treasury to the construction of buildings in Rome.¹⁴⁴ Nero, faced with the revolt of Vindex, laid a tax of the equivalent of a year's rent on lodgers in Roman houses (*inquilinos privatarum aedium atque insularum pensionem annuam repraesentare fisco*),¹⁴⁵ while Galba confiscated the revenues of Lugdunum for the benefit of the Fiscus.¹⁴⁶ The most curious example of a tax (if that is what it is) which went to the Fiscus is attested in the *S.C. de sumptibus ludorum gladiatorum minuendis* (a decree of the Senate on reducing expenditures on gladiatorial games).¹⁴⁷ From this it appears that the Fiscus had up to then (A.D. 177–180) taken a surcharge of a third or a quarter of the price of gladiators supplied for games given by provincial magistrates. But we are no nearer understanding the situation reflected in this decree than when Mommsen discussed it.¹⁴⁸

Benefactions

Because “fiscus” is the predominant *legal* term used in speaking of the imperial wealth a survey of its use tends to emphasize the rights of the imperial estate and the revenues due to it. On a few occasions, however, it is used in connection with imperial benefactions. Both Otho and Vitellius, for instance, promised to pay their soldiers’ *vacationes* (payments for exemption from military duty) out of the Fiscus.¹⁴⁹ The immense gifts which Nero had made to his friends and favourites were recovered, as far as possible, and put in the Fiscus (whence, presumably, they had come) (*reliquias Neronianarum sectionum nondum in fiscum conversas*);¹⁵⁰ the gifts had included land, capital, and “equipment for crimes.”¹⁵¹ The following age witnessed more respectable benefactions; Vespasian was the first to pay rhetors a regular salary “from the *fiscus*.”¹⁵² Nerva returned the property to men from whom Domitian had taken it, if any remained “in the *basileion*” (i.e., the *fiscus*), and made many benefactions “from his own property [the property he already possessed as a private person—see below] and from *ta basilika*.”¹⁵³ The monument of Trajan’s general, C. Iulius Quadratus Bassus, was paid for “by the *fiscus*,”¹⁵⁴ while Trajan also built an aqueduct at his own expense (i.e., “of his own *fiscus*”).¹⁵⁵ Fronto, writing to Lucius Verus, mentions an occasion on which Antoninus Pius had paid an impoverished senator the expenses of his praetorship “from your *fiscus*.”¹⁵⁶ Pertinax, on coming to the throne, found “the *basileion*” empty of cash and had to sell various possessions of Commodus to make the promised donations to soldiers and people.¹⁵⁷ Finally, it seems likely, if not certain, that Pliny is speaking of imperial purchases of corn to subsidize the *annona* (corn supply)

when he says in the *Panegyric* “the *fiscus* buys whatever it seems to be buying”¹⁵⁸—previous special purchases for this purpose, it is implied, had in effect been disguised extra exactions. It is attested that Augustus, Antoninus Pius, and Severus Alexander bought corn for distribution to the people¹⁵⁹ and that Tiberius kept the price down by cash subsidies from his own pocket.¹⁶⁰

Conclusion

It is thus clear that most references to the Fiscus do not concern either public funds or their administration. Only three items of evidence, to my knowledge, seem to show the Fiscus as a branch of public financial administration. The first comes from Suetonius’ *Augustus*, an incident in which Livia asked for a grant of citizenship for a Gaul who was *tributarius* (liable for payment of tribute); Augustus refused, but offered immunity from tribute instead—“he would more willingly suffer a loss to the *fiscus* than the prostitution of the honour of Roman citizenship.”¹⁶¹ It is not, perhaps, impossible that the sense of the passage is that in offering immunity Augustus would have been offering to pay the man’s tribute himself, from the Fiscus, just as, when he granted the cities of Asia immunity after an earthquake in 12 B.C., he paid the equivalent of their tribute to the Aerarium.¹⁶² But this is not the obvious meaning of the sentence. Alternatively “fiscus” here might refer to the provincial Fiscus (the *fiscus Gallicus* as in *ILS* 1514), but this seems unlikely in the context. The second occasion is the well-known reference in Pliny’s *Natural History* to Annius Plocamus, “qui maris Rubri vectigal a fisco redemerat.”¹⁶³ It is normally taken that Annius Plocamus had contracted for the 25 percent customs duty at the Red Sea ports.¹⁶⁴ Pliny’s story, however, concerns Plocamus’ freedman who was sailing “circa Arabiam” (presumably round the south or east coast of Arabia) and was blown by north winds past Carmania to Ceylon. The area the story indicates is therefore the Persian Gulf, and there may be more than an accidental connection between this and the fact that it was precisely here that one of the main pearl fisheries of the ancient world lay.¹⁶⁵ What appears to be a list of imperial revenues, given by Statius, includes “all that is collected by the diver who searches the Eastern Sea.”¹⁶⁶ If I suggest that what Plocamus contracted for from the Fiscus was not the Red Sea *portorium* (a public tax) but the right to exploit these pearl fisheries, I need hardly emphasize that I am doing no more than hazarding a guess. The Ptolemies, and the Romans after them, held monopolies of other valuables,¹⁶⁷ and if there is no evidence of a

royal pearl monopoly in the ancient world, there is at least an instance of one from India.¹⁶⁸ The third item is a papyrus, dating to A.D. 139,¹⁶⁹ a petition to the *epistratēgos* from a guard of a custom house at Socnopaïou Nesos, accusing two of his superiors of cheating the Fiscus (*kyriakos logos*) and asking for their books to be examined “in order to find out if the tolls in them went to the Fiscus.” It seems beyond doubt that the document shows tolls being paid to the Fiscus.¹⁷⁰

These three cases could of course be explained by the assumption that the regular revenues of imperial provinces went to the Fiscus. But to accept that would be to accept either that these revenues became the property of the emperor or that the term “fiscus” was systematically ambiguous. It is preferable, therefore, to admit that these passages cannot be readily fitted into the pattern suggested here; it is still possible to claim that that pattern, with which most uses of “fiscus” accord, gives a true conception of how the financial structure of the Empire developed.

Moreover, even if, as is likely, the lines of distinction between imperial and public funds drawn here come to require some modification, it must be recognized that the distinction between them did survive throughout the entire period with which we are concerned. For Dio, writing in the first half of the third century, distinguishes clearly between *to basilikon* (i.e., the Fiscus) and *to dēmosion* (i.e., the *aerarium*).¹⁷¹ A passage in his account of Augustus, which is often quoted as proof that the distinction had vanished, shows in fact that it remained (for he writes in the present tense) and that it was the complexity of the working relations of the two funds which made it difficult for a historian, reading his sources, to tell from which money had been drawn on a particular occasion.¹⁷²

Finally, something must be said about the status and functions of imperial wealth and properties. Up to the death of Nero the property of one emperor could descend to his successor by inheritance. But in 68 there is a break in family connection, and three further breaks in 69. None the less, we find that the Julio-Claudian properties passed into the hands of those who replaced them on the throne—Galba could call in Nero’s gifts, Otho and Vitellius appeared to find the delights of luxurious living in the imperial palaces the only consolation of supreme power,¹⁷³ and Vespasian could sell off imperial palaces in Alexandria.¹⁷⁴ Another break occurred in 96, but again we find that Trajan could sell properties confiscated by Domitian.¹⁷⁵ Thus it is clear that, as early as the first century, the existence of a vast

mass of imperial properties, palaces and slaves exerted its own force on the course of events, providing as it did a setting—and a staff—for anyone who seized the throne and making the ordinary laws of inheritance irrelevant.

It was still the case, none the less, that the private property of anyone who came to the throne became absorbed in the fiscal properties and descended with them to succeeding emperors.¹⁷⁶ But the facts of the case meant that the imperial properties came to be regarded as something more than the personal property of each emperor in turn. Thus Pertinax refused to have his name inscribed on imperial buildings, saying that they belonged to the state, not to himself.¹⁷⁷ Ulpian was in some doubt as to whether an *interdictum prohibitorium* (a prohibitory interdict which is intended to prevent interference with enjoyment of public places etc.) is at all applicable to fiscal properties “since fiscal properties are as it were the private property of the princeps.”¹⁷⁸ Various other legal passages of the same period show fiscal properties attaining a status comparable to that of *loca publica* or *religiosa* (public or religious properties).¹⁷⁹ The historical development was not the gradual absorption by the emperor of public properties but the acquisition of a “public” character by imperial properties, a process which accurately reflected the fact that the fiscal properties played in the Empire that role which the now depleted “public land” (which Cicero had described as the *patrimonium* of the *res publica*)¹⁸⁰ had played in the Republic. They provided, that is, both a steady revenue for public purposes and a reserve from which, by selling some off, a large capital sum could be realized in emergencies.

The further development of this process, which followed on Severus’ division of the fiscal properties and revenues between *patrimonium* and *ratio privata*, must be discussed elsewhere. This study of what “fiscus” meant in the early Empire has inevitably emphasized the legal aspects of imperial property and cannot give a full picture of the historical processes involved. The development of imperial properties, and of the emperor’s financial claims, is merely one aspect of that process by which a princeps grew imperceptibly into a king (*basileus*) and his household into a court. For, whatever further revenues accrued, property remained the basis of imperial wealth, and the emergence of the Fiscus symbolized and completed the victory of aristocratic power and riches over the institutions of the *res publica*.

Notes

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1. S. Bolla, *Die Entwicklung des Fiskus zum privatrechtssubjekt mit Beiträgen zur Lehre vom Aerarium* (Prague, 1938), 19–20.

2. S. J. de Laet, *Portorium* (Bruges, 1949), 364–65.

3. *CAH* X, 687 esp.; H. Last, “The Fiskus: A Note,” *JRS* 34 (1944): 51, on p. 59; A. Garzetti, “*Aerarium e Fiskus* sotto Augusto; storia di una questione in parte di nomi,” *Athenaeum* 31 (1953): 298, esp. p. 327.

4. E.g., Last (n. 3) 52; A. Berger, *Encyclopedic Dictionary of Roman Law* (*TAPhA* 43, 2, 1953), 472–73; H. F. Jolowicz, *An Historical Introduction to the Study of Roman Law*² (Cambridge, 1952), 339.

5. E.g., O. Hirschfeld, *Die kaiserlichen Verwaltungsbeamten*² (Berlin, 1905), 82; de Laet (n. 2).

6. Last (n. 3), 51; A. H. M. Jones, “The *Aerarium* and the *Fiscus*,” *JRS* 40 (1950): 22, esp. on p. 25.

7. C. H. V. Sutherland, “*Aerarium* and *Fiscus* during the early Empire,” *AJPh* 66 (1945): 151, gives the full emphasis to the role of the emperor’s private wealth in the early Principate but then relates the theme too closely to the separate subject of the emperor’s control of the *Aerarium*—and claims that the latter had been reduced to insignificance by the reign of Trajan.

8. *de benef.* 7, 6, 3: “Caesar omnia habet, fiscus eius privata tantum ac sua: et universa in imperio eius sunt, in patrimonio propria.”

9. E.g., Last (n. 3), 55–56.

10. I.e., the *fiscus* into which sums with which imperial slaves bought their liberty went, and into which, in the event of their death, their savings were absorbed. See, e.g., *CIL* VI, 772, 8450, 8450a. This point was made by Jones (n. 6), 26. It is not necessary to assume that *all* the various “*fisci*” were sub-divisions of “the *Fiscus*.”

11. Suet., *Div. Vesp.* 23, 1.

12. *CIL* VI, 10876. This is the earliest Roman inscription (from the reign of Hadrian or soon after) in which the word “*fiscus*,” unqualified and in the singular, occurs.

13. *Fragmenta de iure fisci* (FIRA² II, 627–28), 1, 6 *ad fin.*, 2, 10, 11, 12, 13 (?).

14. Frontinus, *de aquae ductu urbis Romae*, 116ff.

15. ILS 5920. For related inscriptions, see R. Macmullen, “Roman Imperial Building in the Provinces,” *Harv. Stud. Class. Phil.* 64 (1959): 207, n. 21.

16. *CIL* VI, 10233.

17. Pliny, *NH* 18, 114.

18. Pliny, *NH* 12, 113, 123.

19. Jos., *BJ* 1, 316, not mentioned in *AJ* 15, 95. See H. Buchheim, *Die Orientpolitik des Triumvirn M. Antonius* (Heidelberg, 1960), 68–69.

20. It is possible, though it is not stated, that the balsam plantations were among the territories returned by Octavian to Herod in 30 B.C., Jos., *BJ* 1, 396 = *AJ* 15, 217. In that case the plantations will have come to the Fiscus when the property of Archelaus was confiscated in A.D. 6 (see n. 113).

21. Jos., *AJ* 16, 128. Cyprus was now (12 B.C.) a public province.

22. Galen (ed. Kühn), 14, 7.

23. F. Bona, “Sul concetto di ‘Manubiae’ e sulla responsabilità del magistrato in ordine alla preda,” *Stud. et Doc. Hist. et Iur.* 26 (1960): 105.

24. See U. Wilcken, “Zu den Impensae der Res Gestae divi Augusti,” *S-B Deutsche Ak. Wiss.* 27 (1931): 772.

25. Dio 51, 17, 7–8.

26. There are, of course, difficulties here in that real property did not normally form a part of booty, or *manubiae*. The properties concerned are ones of which Antonius was able to dispose freely, and it was perhaps in the practice of the Triumviral period that the origins of Augustus’ rights to the properties lay.

27. Tac., *Hist.* 4, 72.

28. Aulus Gellius, *NA* 13, 25.

29. *CIL* III, 1312, “To M. Ulpus Hermias, freedman of Augustus, procurator of the gold mines” (*M. Ulpio Aug./lib. Hermiae proc./aurariarum*).

30. ILS 6870.

31. *CIL* IX 2438; FIRA² I, 61. See A. Passerini, *Le coorti pretorie* (Rome, 1939), 251–52.

32. *P. Ryl.* 157. Compare the fragmentary *BGU* 1576, a letter from an official to a procurator dating to 133–35 or 147–48, with mentions of (l. 10) *o kyriakos logos* (the lord's account), "the revenues of the estate" (l. 16), and (l. 23) "the *fiscus*."

33. *Dig.* 22, 1, 16, 1; 39, 4, 9, 8; 49, 45, 13–14; 49, 14, 47, 1; 49, 14, 50; 50, 6, 6, 10–11; Paulus, *Sent.* 1, 6a. 5, 5, 12, 23.

34. Pliny, *NH* 34, 2–4.

35. See O. Hirschfeld, "Der Grundbesitz der römischen Kaiser," *Kleine Schriften* (Berlin, 1913), 529.

36. Tac., *Ann.* 6, 19. See text to n. 115 below.

37. *CIL* XIII, 1550 (Aquitania, Ruteni) has "To Smargadus, the overseer ... of the *familia* of Tiberius Caesar [employed] in the mines"; Strabo 191 mentions silver mines among the Ruteni. See O. Davies, *Roman Mines in Europe* (Oxford, 1935), 80–81.

38. *CIL* II, 1179. Cf. *CIL* XIV, 52 (Ostia) *Dorotheus Aug. lib. proc. massae Marian(ae)*.

39. *FIRA*² I, 104, 105.

40. *de benef.* 4, 39, 3.

41. *Or.* 46, 8.

42. Tac., *Ann.* 2, 47, 3.

43. Jos., *AJ* 16, 2, 2 (26).

44. *Philos.*, *VS* 2, 29.

45. Cic., *Att.* 5, 21, 10.

46. *Syll.*³ 800. The new date is demonstrated by A. J. Gossage, "The Date of *IG V* (2), 516 (*SIG*³ 800)," *PBSA* 49 (1954): 51. Gossage notes (p. 55, n. 2) a letter from Professor A. H. M. Jones suggesting that *phiskos* here may refer to "the emperor's financial department, including his private revenue," and mentioning as a parallel Jos., *AJ* 16, 2, 2 (26). I owe this reference to Mr. G. W. Bowersock. For imperial (private) procurators attested in Achaia in Augustus' reign, see H. G. Pflaum, *Les carrières procuratoriennes équestres sous le Haut-Empire romain* (Paris, 1960–61), 1070–71.

47. *HA, Had.* 7, 6.

48. 69, 8, 1². Compare Dio's reference, 71, 32, 2 (272), to the remission of debts to the *to basilikon* and the *to dēmosion* by Marcus Aurelius.

49. *ILS* 309.

50. On provincial Fiscus (the funds held by governors) and their relation to the Aerarium, see Jones (n. 6), 22–23.

51. *OGIS* 669 and the revised text by H. G. Evelyn-White and J. H. Oliver, *The Temple of Hibis in El Khāreh Oasis*, Part II: *Greek Inscriptions* (New York, 1938), no. 4, ll. 20–21.

52. See R. Macmullen, “The Anabologicae Species,” *Aegyptus* 38 (1958): 184, on pp. 192–93.

53. H. Zilliacus, *Vierzehn berliner griechische Papyri* (Societas Scientiarum Fennica. Commentationes Humanarum Litterarum XI, 4, Helsingfors, 1941), no. 3, l. 13.

54. *Ann.* 4, 6.

55. 57, 23, 5.

56. Josephus, *AJ* 18, 6, 3 (158). Agrippa had been in Rome a few years earlier, had been a friend of Tiberius’ son Drusus, and had exhausted his fortune (*AJ* 18, 6, 1). Pflaum, *Carrières procuratoriennes*, no. 9, argues that Capito was acting as “collector of rents [or taxes]” (Philo, *Leg.* 199) and pursuing arrears of tribute. But Josephus’ wording makes this view untenable.

57. *Pan.* 36, 3–4.

58. *Pan.* 80, 1.

59. *Dig.* 28, 4, 3.

60. *Dig.* 1, 2, 2, 32.

61. *HA, Had.* 20, 6.

62. *Dig.* 3, 1, 10; *Frag. de iure fisci* 2, 16–17.

63. E.g., *EE* V, 1203.

64. E.g., *AE* 1908, 18.

65. E.g., *CIL* IX 2565: “to the counsel for the *fiscus* in the office concerned with inheritances.”

66. *Dig.* 49, 14, 3, 9 (a rescript of Hadrian); 49, 14, 7.

67. See *P. Strasb.* 56 (II/III A.D.), Text A, 2, l. 10 “... [the right of] *pr* $\bar{\theta}$ *topraxia* is preserved for the *fiscus*, the city’s treasury [*poleitikos logos*], and others”; cf. *P. Stras.* 34 (Antinoopolis, A.D. 180–192), l. 25; *BGU* 1573 (Arsinoite nome, 141/2), l. 15; *PSI* XII, 1237, *recto* l. 6 (A.D. 162). Also *P. Lips.* 1, 9, l. 34, as given in Preisigke, *Wörterbuch*,

s.v. $\phi\acute{\iota}\sigma\kappa\omicron\varsigma$. The legal character of *pr* $\bar{\theta}$ *topraxia* and the *Fiscus*’ rights “velut ius pignoris” or “pignoris vice” are discussed by F. Wieacker, “Protopraxie und ‘ius pignoris’ im klassischen Fiskalrecht,”

68. Paulus, *Sent.* 5, 12, 10.

69. See the rather muddled list in Bolla (n. 1), 78–79.

70. E.g., *Dig.* 40, 9, 16, 3; 40, 1, 10; *Frag. de iure fisci* 2, 9.

71. *Dig.* 22, 1, 17, 5.

72. *Dig.* 22, 1, 17, 6; 49, 14, 6.

73. *Dig.* 49, 14, 5.

74. *Dig.* 27, 9, 2. This passage raises further legal problems which are not relevant to the present argument.

75. *Dig.* 16, 2, 12; 49, 14, 46, 4.

76. *Dig.* 16, 2, 12; 49, 14, 3, 7; 49, 14, 6.

77. *Dig.* 40, 15, 1 *praef.*

78. *Dig.* 49, 14, 25.

79. *Dig.* 49, 14, 3, 5.

80. *Dig.* 49, 14, 22 *praef.*

81. *Dig.* 1, 16, 9 (Ulpian, *de officio proconsulis*).

82. The evidence is given in full by R. S. Rogers, “The Roman Emperors as Heirs and Legatees,” *TAPhA* 77 (1947): 140, and intelligently discussed by J. Gaudemet, “*Testamenta ingrata et pietas Augusti*”: contribution à l’étude du sentiment impérial,” *Studi Arancio-Ruiz* 3 (Naples, 1953): 115.

83. Suet., *Nero* 32, 2.

84. Pliny, *Pan.* 43, 1.

85. See, e.g., Hirschfeld (n. 35), 518–19.

86. Pliny, *Pan.* 42, 1.

87. On the difficulties surrounding the exact provisions of this law, see P-W XII, 2418–30, and B. Biondi, *Successione testamentaria e donazione*² (Milan, 1955), 134–35. Moreover, the reference to the *lex Voconia* is a puzzle in itself, since its provisions ought to have been superseded by those of the *Lex Falcidia* of 40 B.C.

88. Tac., *Ann.* 2, 48, 1.

89. Artemidorus, *Oneirocritica* 4, 56.

90. See the edition by S. Riccobono, *Il Gnomon dell’Idios Logos* (Palermo, 1950), text (pp. 31–32) paras. 4, 9, 10, 16, 18, 19, 20, 22, 23, 24, 27, 30, 31, 33, 45, 50, 112, and commentary (pp. 95–96), and also R. Besnier, “L’application des lois caducaires d’Auguste d’après le

gnomon de l'idiologie," *RIDA (Mélanges de Visscher I)* 2 (1949): 93.

91. Strabo 797. This is confirmed by *P. Oxy.* 1188 (A.D. 13), e.g., ll. 4, 10, 15–16.

92. See C. Préaux, *L'économie royale des Lagides* (Brussels, 1939), 409.

93. See the "Extract from the Registry Law of Succession" on a Dura parchment, C. B. Welles, R. O. Fink, and J. F. Gilliam, *The Excavations at Dura-Europos, Final Report V.1: The Parchments and Papyri* (New Haven, 1959), no. 12 (pp. 76–79).

94. The operation of the principle in Egypt is illustrated by the edict of Tiberius Julius Alexander (see n. 48), ll. 38–39, on abuses concerned with delation of properties due to the Idios Logos. Note also *Archiv für Papyrusforschung* 3, 61, a judgement by the Idiologos given on 22 Nov. 136, in which *bona vacantia* are taken "to the *kyriakos logos*."

95. Tac., *Ann.* 3, 25 and 28.

96. See, e.g., *Dig.* 49, 14, 13 (from Paulus, *liber primus ad legem Iuliam et Papiam*) on two edicts by Trajan, and further second-century regulations; and also 49, 14, 15, 42, 49.

97. *Dig.* 5, 3, 20, 6–7. See Biondi (n. 87), 145.

98. Note, e.g., Gaius, *Inst.* II, 285, an S.C., following on an *oratio* of Hadrian, by which *fideicommissa* (bequests) for the benefit of *peregrini* (foreigners, non-citizens) were claimed for the Fiscus, and *Dig.* 49, 14, 1, 2–3, a rescript of Antoninus Pius, referring back to a constitution by Titus.

99. Ulp., *reg.* 17, 2: "Nowadays by the constitution of the emperor Antoninus all *bona caduca*—apart from cases where the right of children and parents is involved—are claimed by the *fiscus*."

100. Préaux (n. 92), 406 and 409.

101. *Corpus agrimensorum rom.*, Teubner ed., p. 41 (Agennius Urbicus, *de controversiis agrorum*), "he obtained a significant sum of money for the *fiscus* by selling off the unallotted portions," and pp. 96–97 (Hyginus, *de generibus controversiarum*), "the deified Vespasian ... claimed for himself all unallotted portions." Cf. also Vespasian's claim to land confiscated in Judaea after the revolt of 66–70, Jos., *BJ* 7, 216–17.

102. See G. F. Hill, "Treasure-Trove: The Law and Practice of Antiquity," *Proc. Brit. Acad.* 19 (1933): 219, where the passages I

mention, except that from Juvenal, are fully discussed.

103. Calp. Sic., *Eclogae* 4, 117–21: “Now a digger does not fear to wield his fateful spade, and if fortune yields it, can use the gold which he finds; nor does the ploughman, as recently, fear while he turns his furrows, lest a lump of metal may sound against the plough share which strikes it.”

104. Philos., *VS* 2, 1.

105. Juv., *Sat.* 4, 54–56.

106. See *HA*, *Had.* 18, 6; *Inst.* 2, 1, 39, *Dig.* 49, 14, 1, *prae*f., 3, 10–11, and Hill (n. 102), 243–44.

107. See Pliny, *NH* 7, 74–75; 10, 84; 19, 39; Sen., *Ep. Mor.* 95, 42.

108. Préaux (n. 92), 407 and 409–10. Note also that under the Seleucids the property of men convicted of treason was confiscated: E. Bickerman, *Institutions des Séleucides* (Paris, 1938), 121.

109. Para. 36. Compare Dio 47, 14, 1, on similar provisions made by the Triumvirs for the proscriptions of 43–42 B.C.

110. L. 25. Dittenberger (*OGIS* 669, commentary) takes it that the reference is to the condemned persons (*damnati*). It is possible that *debtors* to the Fiscus are meant—so W. Schubart, *Archiv f. Papyrusforschung* 14 (1941): 37–38.

111. Tac., *Ann.* 4, 20.

112. Dio 53, 23, 7.

113. Jos., *BJ* 2, 7, 3 (111), cf. *AJ* 17, 13, 2 (344). At the death of Herod in 4 B.C. the procurator of Syria had come to Jerusalem “to take charge of Herod’s estate”; see Jos., *BJ* 2, 2, 2 (16–19), 3, 1–2 (41–54), *AJ* 17, 9, 36 (221–23).

114. Tac., *Ann.* 6, 2.

115. Tac., *Ann.* 6, 19. See text to n. 36 above. It is worth noting that Dio 58, 22, 2 states that Marius was a friend of Tiberius and had *thus* become rich. This might therefore be another case in which imperial gifts were being recovered.

116. Tac., *Ann.* 6, 17, “as so many had been condemned and their estates sold that coined money was retained by the *fiscus* or the *aerarium*.”

117. Philo, *In Flaccum* 150.

118. Jos., *BJ* 7, 9, 2 (446).

119. The Athenian inscription is given by Abbot and Johnson,

Municipal Administration no. 90, and re-edited by J. H. Oliver, *The Ruling Power* (TAPhS 43, 4, Philadelphia, 1953), 960–61. See ll. 3–5 and ll. 30–31.

120. *Dig.* 48, 22, 1.

121. *Dig.* 48, 20, 6.

122. *HA, Had.* 7, 7.

123. See, e.g., *Dig.* 48, 2, 20; 48, 20, 7–10 passim; 49, 14, 22, *praef.*; 45, 2; 45, 11; *Frag. de iure fisci* 2, 20. Compare the casual references in Plut., *Mor.* 484a—a condemned man “lost his property which was taken by Caesar’s treasury [*tamieion*]”; and Euseb., *HE* 6, 2, 12, referring to the condemnation of Origen’s father in 203—“and my father’s property was taken by the imperial treasuries.”

124. Paras. 43 and 44. Cf. para. 105—confiscation of half property for lending money at over 12 per cent.

125. *Dig.* 47, 12, 3, 5, a rescript of Hadrian laying down a fine payable by those “who bury corpses inside the city”; see Paulus, *Sent.* 1, 21, 2: this was punished “extra ordinem”; 49, 14, 1, *praef.*: occasions of “denunciation to the *fiscus*” (*nuntiatio ad fiscum*)—“that a house has been destroyed.” The *S.C. de aedificiis non diruendis* (“decree of the Senate against the demolition of buildings for profit”) of A.D. 44 and 56 (*FIRA*² I, 45) had laid down a fine payable to the Aerarium. *Frag. de iure fisci* 1, 8, gives a fine payable to the *Fiscus* by a man “who contrary to the edict of the deified Augustus bought disputed property from someone who had no title to it” and 1, 9 gives a fine “which is claimed now by the *fiscus*” for selling or acquiring fugitive slaves (*fugitivi*). Compare also the curious inscription from Cilicia, *IGR* III 864 = *OGIS* 579, “They decided: if someone is caught using a Cilician measure, he is to give twenty-five denarii to the *fiscus*,” and a decree of Mylasa in 209/211 (*OGIS* 515 = Abbott and Johnson, no. 133) which lays down (ll. 25–27) a fine for illegal exchange—“a free man will pay to the most sacred treasury of our lords, the divine emperors ...”

126. Préaux (n. 92), 408. See A. Berger, *Die Strafklauseln in den Papyrusurkunden* (Leipzig and Berlin, 1911), 31.

127. *Dura Final Report* V.1, nos. 19 (l. 17), 20 (l. 21). The formula is restored in nos. 21, 22, 24.

128. *Ibid.*, no. 31. Upper text, ll. 19–20, lower text, ll. 47–48 “and the same amount to the *fiscus*.”

129. *Ibid.*, no. 32, l. 17.

130. Berger (n. 4), 32–33.

131. *CIL* XII 4393, ll. 15–16.

132. See the discussion by G. Wesenberg, *Verträge zugunsten Dritter: Forschungen zum römischen Recht*, Bd. I, Abh. II (Weimar, 1949), 70–71.

133. *IBM* 481, ll. 278–81 partially reprinted in B. Laum, *Stiftungen in der griechischen und römischen Antike* 2 (Berlin, 1914), no. 74, and Abbott and Johnson, no. 71. See now *I. K. Ephesos* Ia, 27, ll. 406–10. The reading of these lines can be confirmed by comparison with ll. 220–21 (= *I. K. Ephesos* Ia, 27, ll. 323–25). Further examples of endowments with penalties to the Fiscus are given by Laum, *Stiftungen*, nos. 19b (Eleusis, second century A.D.), 72 (Attaleia, second century), 124 (Iasos). See also K. M. T. Atkinson, “The ‘Constitutio’ of Vedius Pollio at Ephesus,” *RIDA*, ser. 3, 9 (1962): 262, on p. 287 (where the legal complexities are not appreciated).

134. *Dig.* 4, 8, 42.

135. *Dig.* 49, 14, 1, *praef.*

136. Wesenberg (n. 132), 75–78.

137. See, e.g., the indices of *IGR* (s.v. *multae sepulchrales*) and *FIRA*² III, 257–58.

138. A Berlin papyrus first published by G. Parthey, *Nuove Memorie d. Istituto Arch.* 2, 455, no. 21, and restored by U. Wilcken, *Griechische Ostraka* I (Leipzig and Berlin, 1899), 300, which has the expression “the *stephanos* which formerly used to go to the king’s treasure [to *basilikon*] and now goes to the *fiscus*.” *Aurum coronarium* may be the payment referred to in the Opramoas inscription, *IGR* III, 739, II, 59–60: “paying to the full the *eusebeia* of the people to the *fiscus*”; *eusebeia* suggests a payment which was not formally an obligation (compare the same inscription, III, 88–89, his payment of *tribute*). Similarly, *P. Giss.* 61 (Heptakomia, A.D. 119) shows a *logia* (special collection) being made for the benefit of the Fiscus not long after an emperor’s accession.

139. Th. Klauser, “*Aurum Coronarium*,” *Röm. Mitt.* 59 (1944): 129.

140. See, e.g., Cic., in *Pisonem* 90, *de leg. ag.* 2, 59; *Res Gestae* 21, 3; Pliny, *NH* 33, 54.

141. See S. L. Wallace, *Taxation in Egypt from Augustus to Diocletian* (Princeton, 1938), 281–84.

142. Suet., *Calig.* 40.

143. *CIL* III, 13750 = Latyshev, *IOSPE* I² 404. See l. 39 (41 in *CIL*).

144. *HA, vita Sev. Alex.* 24, 3, “he forbade paying the tax on pimps, female and male prostitutes into the sacred treasury [*sacrum aerarium*], but re-directed it to public enterprises, on restoring the theatre, the circus, the amphitheatre, and the running track.” The terminology of the *Historia Augusta* is variable, but the use of “sacred,” commonly employed for things pertaining to the emperor, makes it probable that the *Fiscus* is being referred to.

145. Suet., *Nero* 44, 2. Cf. Dio 61, 5, 5, “he soon exhausted the treasures in the *fiscus* [*to basilikon*], and soon found himself in need of new revenues, and consequently unusual taxes were imposed.”

146. Tac., *Hist.* 1, 65.

147. *FIRA*² I, 49, republished, with commentary and translation, by J. H. Oliver and R. E. A. Palmer, “Minutes of an Act of the Roman Senate,” *Hesperia* 24 (1955): 320.

148. *Ges. Schr.* 8, 499–500, esp. p. 527.

149. Tac., *Hist.* 1, 46, 58.

150. Tac., *Hist.* 1, 90.

151. Tac., *Hist.* 1, 20.

152. Suet., *Div. Vesp* 18, 1. See Hieronymus, *ad Ol.* CCXVI. 4 (A.D. 88), “Quintilian ... received a salary from the *fiscus*.” Dio (as in Zonaras) 66, 12, 1a, has “he established teachers ... who received their salary from the *aerarium* [*to dêmosion*].” Suetonius’ wording is clearly to be preferred.

153. Dio 68, 2, 1–2.

154. *AE* 1933, 268 *ad fin.*

155. See *CIL* XI, 3309 (Forum Clodi). Compare, e.g., the imperial building inscriptions: *ILS* 218, 245 *impensa sua* (his own expense), 280 *sua pecunia* (his own money), 290, 293 *sua pecunia*.

156. Cornelius Fronto (ed. Van Den Hout), 128. Compare Vell. Pat. 2, 130, 2, where “patrimonium” is used in connection with an imperial benefaction.

157. Dio 73, 5, 4 (310). Compare the occasion (Dio, ed. Boissevain, III, 280, fr. 1, and *HA, Marc. Ant.* 17, 4–5) on which Marcus Aurelius sold off palace treasures to raise cash for a war.

158. Pliny, *Pan.* 29, 5.

159. Augustus, *Res Gestae* 5, 2; 15, 1; 18; Suet., *Div. Aug.* 41, 5. On

Antonius Pius, *Vita* 8, 11, “he relieved a scarcity of wine and oil and wheat with loss to his own treasury by buying these and distributing them to the people for free.” Severus Alexander, *Vita* 21, 9.

160. Tac., *Ann.* 2, 87.

161. Suet., *Div. Aug.* 40, 6.

162. Dio 54, 30, 3. I owe the suggestion of the interpretation offered here to Miriam Griffin.

163. Pliny, *NH* 6, 84.

164. Wallace (n. 141), 257, de Laet (n. 2), 306–7, D. Meredith, “Annius Plocamus: Two Inscriptions from the Berenice Road,” *JRS* 43 (1953): 38.

165. See P-W XIV, 1687–88. Pliny, *NH* 9, 106, gives the location of the pearl fisheries as “around Arabia in the bay of the Red Sea which is in Persia.”

166. Statius, *Silv.* 3, 3, 92.

167. See P-W XVI, 159–60, 194–95.

168. P-W XVI, 191.

169. *P. Amh.* 77 = Wilcken, *Chrestomathie*, no. 277 = *Sel. Pap.*, no. 282.

170. So Wallace (n. 141), 260–61. I thought earlier that the mention of the Fiscus might be connected with the fact that the guard’s superior, Polydenus, is reported in the papyrus (ll. 20–21) to have enlisted the aid of Heraclas, “one of the swordbearers of the [imperial] estate,” in order to have him taken “to the office of the procurator of the imperial estates” to be beaten. But Professor H. C. Youtie, who has very kindly discussed the papyrus with me by letter, points out that Heraclas might have been brought in simply as an armed thug and the office of the local procurator of imperial estates used as a convenient place for the beating. I am also very grateful to Professor Youtie for providing me with some other papyrus uses of

φίσκος

discussed in this chapter.

171. See nn. 48, 145, 153, and cf. Dio 71, 33, 2 (273), and 79, 12, 2² (463). Though see n. 152. For the survival of the distinction in the third century, see also *Dig.* 3, 6, 1, 3 = *Cod. Just.* 7, 49, 1; *Dig.* 39, 4, 9, 3 = Paulus, *Sent.* 5, 1a, 4; *CIL* VIII, 17639 = Abbott and Johnson, no. 152, “... owed to the people or to the *fiscus*” and cf. Cyprian, *de opere et eleemosynis* 19, “a treasure entrusted to God can neither the state snatch nor the Fiscus seize.”

172. 53, 22, 3–4, “Therefore I have no opinion to record as to whether a particular emperor on a particular occasion got the money from the public funds [*ek t̄ō n dēmosi t̄ō n chrēmat t̄ō n*] or gave it himself. For both courses were frequently followed; and why should one enter such expenditures as loans or as gifts respectively, when both people [*dēmos*] and the emperor are constantly resorting to both the one and the other indiscriminately.”

173. Otho taking over Nero’s slaves, Dio 64, 8, 3–9, 1, and holding a dinner in the Palatium: Tac. *Hist.* 1, 80–81, Dio 64, 9, 2–3. On Vitellius’ enjoyment of imperial luxuries, Dio 65, 2–4.

174. Dio 65, 8, 4.

175. Pliny, *Pan.* 50.

176. This is perhaps the explanation of the story in *HA, vita Ant. Pii* 4, 8—his wife scolded him for parsimony, and he replied, “Foolish woman, now that we have transferred to the position of emperors, we have lost even what we once had.” By contrast, Pertinax, coming to the throne after the murder of Commodus, divested himself deliberately of his property and gave it to his son and daughter, whom he sent off to live with their grandfather. Dio 73, 7, 3 (311–12). See Herodian 2, 4, 9; *HA, vita Pert.* 13, 4. I suspect that we have an example of a property which became, and remained, part of the *patrimonium*, when its owner came to the throne, in the Horrea Galbae. See Platner and Ashby, *Topographical Dictionary*, 261. Another example is the Figlinae Domitianae (“Domitian’s potteries”)—see H. Bloch, *I Bolle laterizi e la storia edilizia romana* (Rome, 1938), 336–39.

177. Herodian 2, 4, 7.

178. *Dig.* 43, 8, 2, 4.

179. E.g., *Dig.* 49, 14, 3, 10; 18, 1, 72, 1; cf. 30, 39, 8–10. The distinction was still maintained, however; AE 1945, 80, shows a man who was “procurator of the public and the fiscal buildings of the sacred City” (*proc(urator) oper(um) publ(icorum) et fiscal(ium) Urb(is) sacrae*) early in the reign of Severus. See also Herodian 2, 4, 6—Pertinax announced that uncultivated land could be freely occupied “even if it belongs to the king.”

180. *de lege agraria* 1, 21, 11, 101.

CHAPTER FOUR

The Aerarium and Its Officials under the Empire



Imagine if our own Chancellor of the Exchequer were chosen by lot out of the young gentlemen who had most recently passed the Civil Service examination!

—G. G. Ramsay on Tacitus, *Annals* 13, 29

No analysis of the political character of the Empire can avoid the question of finance. The various sources of revenue of the emperor and the *res publica*, the role of the private wealth of the emperor, the nature of his control over public funds, the question of how and when various public revenues were taken by him—a satisfactory political interpretation of the early Empire must take account of all these.

This chapter attempts merely to take a second preliminary step towards such an interpretation.¹ Its aim is to set out as clearly as possible the evidence as to the nature of the Aerarium and the functions of its officials, and, above all, to avoid the anachronistic approach which our language itself so readily invites. Not all anachronistic views of the subject have had the beautiful obviousness of Ramsay's contribution: even to speak of the "world-wide financial administration"² of the Aerarium will prove to be misleading.

The Building

The temple of Saturn (*aedes Saturni*) which stood at the foot of the road up to the Capitol Hill (*clivus Capitolinus*), on the edge of the Forum, was dedicated probably at the inception of the Republic, and from that time on was the main depository of the state.³ In 78 B.C. the Tabularium, a considerably larger building, was constructed to the west of the temple of Saturn; we know of the fact, and the name, only from two inscriptions, one of which survives.⁴ The name implies that, like the Aerarium, it held state archives (*tabulae*); the absence of any reference in literature makes it impossible to determine what division of functions was intended.

The temple of Saturn itself, rebuilt or repaired by Munatius Plancus in 42 B.C.,⁵ and restored again in the fourth century,⁶ is shown in part on a fragment of the Forma Urbis (inscribed plan of the city) made by

order of Septimius Severus.⁷ Neither the plan nor the existing remains make clear where exactly the money, bullion, documents, and so forth were kept. Lugli has noted some traces of a room situated within the right-hand projection of the podium, with a single door opening into the Forum, and regards that as the Aerarium itself.⁸ This view must remain in doubt. Beside (or behind) the temple lay the Area Saturni (the open space next to the temple). An inscription gives a dedication by the *negotiatores* (entrepreneurs) of the Area Saturni to an urban quaestor;⁹ the space was evidently supposed to be public property, for another inscription shows the two praetors of the Aerarium redeeming it “by the authority of a decree of the Senate” from private possession.¹⁰

The Officials

Throughout the Republic the Aerarium was in the charge of two quaestors (Polybius mentions that one of them was in charge of the keys).¹¹ Then in 45 B.C., according to Dio, Julius Caesar appointed two aediles.¹² In a major late republican inscription, the *tabula Heracleensis*, however, we find *per q(uaestorem) urb(anum), queive aerario praerit* (through the urban questor or through whoever will be in charge of the Aerarium).¹³ In 29 B.C. Octavian gave the Senate the annual choice of two *praefecti* of praetorian rank for the post;¹⁴ in 23 he changed the system again and had two of the praetors of the year selected by lot,¹⁵ and this arrangement remained until A.D. 44. In that year Claudius, the traditionalist, gave the job to two quaestors once more, with the difference that they were appointed by himself, served for three years, and were promised “exceptional promotion” (*extra ordinem honores promisit*) in advance.¹⁶ Finally, in A.D. 56 Nero appointed two *praefecti*, selected by himself from among ex-praetors,¹⁷ and this (with an interval in 69 when praetors are found in charge)¹⁸ remained the system thereafter. In the first and second centuries the post ranked with praetorian provincial commands, and a *praefectus aerarii* (prefect of the Aerarium) could expect to proceed, like Pliny (*Pan.* 92; cf. *Ep.* 9, 13, 11), directly to the consulate. The last known prefect of the Aerarium held office about the middle of the fourth century.¹⁹

Of the minor officials little is known except their titles. Inscriptions reveal *scribae librarii quaestorii ab aerario* (scribes [and] clerks of the quaestor’s office at the Aerarium), *viatores quaestorii* (messengers of the quaestor’s office), a *tabularius viatorum quaestoriorum ab aerario* (a

record keeper of the quaestor's messengers) and a *publicus promotus ad tabulas quaestorias transcribendas* (a public slave promoted to the office of copying records in the quaestor's office).²⁰ The most important of them, the scribes, occasionally come into the light of history; Cicero says in the *Verrines* "the public records and the fates of the magistrates are committed to the trust of these people,"²¹ while Plutarch describes how Cato the Younger, as quaestor, had difficulty in establishing his authority with them and getting two of them dismissed.²² The scribes, who, like the lower officials, were organized in three panels (*decuriae*) which served in annual rotation, were of relatively high social status and might claim to be equestrians. Some went on to hold equestrian posts.²³

Non-Financial Documents

The most important non-financial documents in the Aerarium were copies of laws (*leges*) and decrees of the Senate, which did not become valid until the copies were deposited.²⁴ One of the senatorial decrees given by Josephus provides some evidence, not easy to interpret, of the filing system used—"a decree of the senate, copied from the treasury [*to tameion*], from the public records of the quaestors ... second tablet, first column."²⁵ Some documents were also inscribed on the wall of the temple.²⁶ The problem of the falsification even of important documents clearly caused considerable difficulties; during his quaestorship in 64 Cato had to resist attempts to get bogus senatorial decrees recorded, and on one occasion refused to accept one until the consuls swore to it.²⁷ The Lex Iunia et Licinia of 62 laid down that "it would not be allowed to deposit secretly a law in the Aerarium."²⁸ The deposition of a law or a decree of the Senate was a formal act, and the effect of a senatorial decree could be annulled if the process of "deposition in the Aerarium" (*delatio ad aerarium*) could be halted in time.²⁹ Thus after the hasty condemnation of Clutorius Priscus by the Senate in A.D. 21 it was resolved that an interval of ten days should be left before decisions of the Senate were recorded in the Aerarium.³⁰

In this period, the early Empire, there is a certain conflict of evidence as to which officials looked after the public records. Dio, under the year 11 B.C., records that the quaestors were ordered to keep decrees of the Senate, because of negligence by the tribunes and aediles who had previously had the job.³¹ Under A.D. 16 he mentions that the public documents had been lost or damaged in the course of

time, and that three senators were appointed to put them in order.³² Three inscriptions appear to refer to these senators. One has C. Ummidius Durmius Quadratus, quaestor of Divus Augustus and Tiberius (i.e., in A.D. 14), aedile, praetor (in 18), and (at the same time?) “keeper of the public records.”³³ Then L. Coiedius Candidus, who was quaestor of the Aerarium in the first year of Claudius’ new system, was also “keeper of the public records”—again possibly at the same time.³⁴ Finally a building inscription from Rome dating to 46 has “through” (*per*) ... three names ... “keepers of the public records.”³⁵ Thus it is not clear what division of functions there was, a confusion not helped by Tacitus’ description of the job transferred by Claudius in 44—“the charge of the public records.”³⁶

Pliny the Younger, however, listing his duties as prefect of the Aerarium, says, “I make up the records,”³⁷ and it is clear that documents continued to be kept at the Aerarium, as they had been before. Official oaths had been taken at the Aerarium in the Republic, and recorded there;³⁸ when Marcus Aurelius instituted a register of births, it was kept “with the prefects of the Aerarium of Saturn,” and registration required a formal declaration (*professio*) by the father before the prefect.³⁹ Then there was the register of embassies currently in Rome, of which the purpose had originally been financial but, in the Empire, was so no longer. Plutarch, in the *Roman Questions*, asks why embassies to Rome go to the temple of Saturn and register with the prefects of the Aerarium. The answer is that formerly the Aerarium officials had sent them gifts, looked after those members who fell ill and provided a public funeral for those who died. Cicero mentions that three ambassadors from Asia tried to cheat the Aerarium—“They wanted to falsify our records; for they declared having nine slaves, when in fact they had come with no companions at all.”⁴⁰ But by Plutarch’s time the Aerarium officials had ceased to make any actual provision for embassies, for the number had become too great.⁴¹

Farming Out (*Locatio*) of Public Contracts

In the first part of the Tabula Heracleensis, which refers to the upkeep of roads in Rome, we have the provision that the farming out should be carried out by the aedile concerned through the quaestor, or other official, of the Aerarium, who should also pay out the cash.⁴² Similarly, Cicero says that provincial land could not “*subsignari apud aerarium*,” that is, be given as a pledge in the farming out of

contracts.⁴³ Such *locationes* are presumably being referred to when Dio says that in 42 Claudius corrected irregularities on the part of the praetors of the Aerarium “who were conducting sales and leases.”⁴⁴ The documents of contracts were kept in the Aerarium—Plutarch asks, “why do they use the temple of Saturn as the treasury of public monies and at the same time as the safeguard of contracts?”⁴⁵ The Lex Malacitana (the charter of the Spanish city of Malaca) lays down that the “pledging of landed property” (*obligatio praediorum*) in the farming of municipal revenues should be carried out on the model of the procedure in Rome—“... that the people and the property will be put under legal obligation to the Roman people as if they had become sureties and guarantors, and the landed property had been submitted and registered as security before those who are in charge of the Aerarium in Rome” (... *uti ii e[a]ve p.R. obligati obligatave essent, si apud eos, qui Romae aerario praessent ii praedes i[i]que cognitores facti eaque praedia subdita subsignanda obligatave essent*).⁴⁶

Debts to the State

Debts to the state arose mainly from contractual obligations or from the imposition of fines.⁴⁷ In the Republic the censors on leaving office would deposit at the Aerarium a list of public debtors (*aerarii*).⁴⁸ One example of censorial action is that of Camillus and Postumius, who laid a fine on all those who had attained old age in celibacy and reported the names to the Aerarium.⁴⁹ In A.D. 58 we find the quaestors of the Aerarium entering in their books fines (*multae*) imposed by a tribune.⁵⁰ Then there were debts arising from contracts; on Octavian’s abolition of debts in 29, where Suetonius has only “he burnt the records of old debts to the Aerarium, which were by far the most frequent source of blackmail,”⁵¹ Dio has “he cancelled all obligations which had been given to the Aerarium [*to dēmosion*] previous to the battle of Actium, except those secured by buildings, and he burnt the old records of those who had been indebted to the public.”⁵²

Debts to the Aerarium tended to accumulate. Cato the Younger found many outstanding debts of private people to the state, and vice versa.⁵³ In the Empire, Vespasian, Hadrian, and Marcus Aurelius all cancelled long-standing debts to the Aerarium.⁵⁴ The situation naturally lent itself to delation, and one Paetus appears in Nero’s reign “who was notorious for his acquisition of confiscated property from the Aerarium.” Evidently he tried to prosecute people whose names

the Aerarium officials had in fact crossed off—since the story is rounded off with the comment that “the records in which he traced back forgotten debts to the Aerarium had burnt.”⁵⁵

The question now arises of the role of the Aerarium officials in the recovery of debts, and, from that, the development of their independent jurisdiction. In the early Republic we find the quaestors seizing and selling up *bona damnatorum* (property of persons condemned on criminal charges) immediately after a condemnation.⁵⁶ Cato the Younger, however, appears to have acted on his own initiative in recovering public money which had been distributed by Sulla to his followers.⁵⁷ Similarly, in A.D. 56 we find a quaestor of the Aerarium blamed “for having extended his right of compulsory sale [*ius hastae*] oppressively towards the helpless.”⁵⁸ But, more than that, we find them exercising a jurisdiction of their own. The earliest reference is Dio’s description of how Claudius used to sit beside magistrates as they held trial—the consuls and praetors and in particular those in charge of the finance.⁵⁹ Then we have Pliny’s account of himself at work as prefect of the Aerarium: “I give jurisdiction, subscribe petitions, make up the records, and write innumerable—quite unliterary—letters.” The first two phrases both imply the exercise of jurisdiction, and the implication is confirmed by the words which Euphrates, quoted in the same letter, uses to describe Pliny’s labours “conducting public business, presiding at trials, judging, displaying, and administering justice.”⁶⁰

It is possible that such jurisdiction began in the period (23 B.C.–A.D. 44) when the post was held by praetors, and one reference from this period seems to show them issuing an edict. Suetonius records that Claudius before his accession, “having been forced to pay his entry fee to a priestly college, was reduced to such straitened circumstances that he was unable to meet the obligation incurred to the Aerarium; whereupon by edict of the prefects [*edictum praefectorum*] his property was advertised for sale to meet the deficiency in accordance with the law regulating confiscations [*lex praedictoria*]”⁶¹—the term “prefects” is used anachronistically. Cases seem to have been heard at the Aerarium itself; Nero, according to Suetonius, removed cases “from the Aerarium ... to the Forum and the court of the *recuperatores* [assessors].”⁶² That should mean that the jurisdiction itself was transferred to the *recuperatores*; but then Pliny in the *Panegyric* waxes enthusiastic over the change in the Aerarium since the death of Domitian: “What a pleasure to see peace and quiet

restored to the Aerarium, to see it as it was before the day of informers [*delatores*]. Now it is a real temple and sanctuary of a god.”⁶³

In the second century we find them concerned with the reporting (*delatio*) of *bona caduca* (unclaimed property) to the Aerarium,⁶⁴ and semi-judicial functions might grow out of that.⁶⁵ There were also other semi-judicial functions like settlements out of court with respect to maintenance (*transactiones alimentorum*) “before the prefect of the Aerarium.”⁶⁶ But they also appear giving criminal judgements; we have references to an informer summoned “three times by edict” by the prefect of the Aerarium⁶⁷ and to conviction for fraud before a prefect.⁶⁸ The *Sententiae et epistulae* of Hadrian even has a case of a man condemned “to the quarries” by the prefect of the Aerarium “in compliance with the Lex Aelia Sentia.”⁶⁹

This development of an independent jurisdiction is one example of a process typical of the Empire in which both the growth of the informal *cognitio* procedure and the pressure of business on the holders of *imperium* contributed to the de facto exercise of jurisdiction by the holders of a wide range of posts, including common soldiers.⁷⁰

The Accounts of Promagistrates

The late Republican procedure is fairly well known. At the beginning of a provincial command the Senate voted a sum to be paid out of the Aerarium and taken by the governor to his province (*ornare provinciam*);⁷¹ it was not unknown for the governor in fact to leave it behind in Rome earning interest.⁷² It is clear that what was voted from the Aerarium itself was only part of the funds that the governor would need during his tenure; when a subsidiary vote was made for Caesar in Gaul Cicero thought he might have got by “with the booty which he had previously won.”⁷³ Alternatively, it was possible to authorize the promagistrate to draw money on the spot; Pompey in 67 was given authority⁷⁴—from the provincial *fisci* (treasuries) and the *publicani*.⁷⁵ It is important to note that the evidence for these procedures shows the Aerarium playing no role beyond the handing-out of a lump sum, or an annual sum, in Rome.

The Empire provides no direct evidence for similar procedures. Some change in the system will have come when senatorial governors began to receive a fixed salary—which Dio says began with Augustus⁷⁶ and which was certainly the case in the late first and early third centuries.⁷⁷ They also received, at least in Augustus’ time, a fixed

allowance “for mules and tents.”⁷⁸ But we do not know whether proconsuls, or *legati Augusti pro praetore*, or both, were voted sums by the Senate at the start of their governorships.

Nor do we know whether such votes were regularly made to the emperor. Jones surmises that recurrent grants were made to the emperor in respect of his “province” but admits that there is no direct evidence.⁷⁹ In fact, there are a few items of evidence. Jerome’s *Chronicle* records under A.D. 67 that 10 million sesterces were decreed to Nero by the Senate as expenses.⁸⁰ Marcus Aurelius asked the Senate to vote funds for a war; Dio states explicitly that the procedure was exceptional: “Marcus also asked the Senate for money from the Aerarium [to *dēmosion*], not because such funds were not already at the emperor’s disposal, but because he was wont to declare that all the funds, both these and others, belonged to the Senate and to the people.”⁸¹ Finally, a curious passage in the *Historia Augusta* states that Commodus pretended to be setting sail for Africa “so that he could get funds for the journey”;⁸² the reference, it seems, can only be to a sum voted by the Senate from the Aerarium.

With emperors and governors alike, therefore, the evidence is too slight for any conclusion as to what the regular system was. But some light is thrown on the position by references to the procedure known as *delatio ad aerarium*, that is, the registration at the Aerarium of the names of subordinate officials by their superiors, as a way of regularizing their position and ensuring their pay. The clearest evidence comes from the decree of the Senate of 11 B.C., recorded by Frontinus, which established the post of *curator aquarum* and the staff for it—“and that whatever attendants it is permitted to the water commissioners [*curatores aquarum*] by this decree of the Senate to employ, they shall report them to the Aerarium [*ad Aerarium deferrent*] in the next ten days; and as for those whose names shall be thus reported [*quique ita delati essent*], to them the praetors of the Aerarium shall grant and allocate, as annual rations, as much as the prefects in charge of corn distribution [*praefecti frumento dando*] are wont to give and allot.”⁸³ By contrast, Cicero in Cilicia carries out the process of *delatio* retrospectively, while preparing his *rationes* (accounts) for deposit—“as for benefits, be informed, that by me military tribunes, prefects, and comrades-in-arms—so long as they were mine—have been registered [at the Aerarium].”⁸⁴ The process was evidently not automatic, and to be “delated” seems normally to have been a special favour. Cicero says of Balbus “that Caesar when

he was praetor and consul registered him as *praefectus fabrum* [prefect of engineers].”⁸⁵ Atticus refused “prefectures *delatae* by many praetors and consuls” (*multorum consulum praetorumque praefecturas delatas*), or rather accepted the honour but refused both the duties and the pay.⁸⁶

Early imperial documents confirm the honorific nature of the *delatio*: Q. Aemilius Secundus, in Augustus’ reign, a *praefectus fabrum* “reported to the Aerarium by two consuls”;⁸⁷ C. Julius Aquila “registered twice at the Aerarium as *praefectus fabrum* by the consul” (*[pr]aef. fabr. bis in aerarium delatus a cos.*);⁸⁸ Claudius Chionis “registered at the Aerarium as travelling companion of a proconsul of Asia” in the first century.⁸⁹ Surprisingly, we also find two imperial freedmen *accensi* (attendants) “delated”: Antemus “freedman of Tiberius Caesar Augustus in charge of the accounts, attendant, registered by Augustus” (*Ti. Caesaris Aug. l(iberto) a rationi[b.], accenso delat(o) ab Aug.*),⁹⁰ and Eutactus “freedman of Augustus, procurator, attendant, registered by the divine Vespasian” (*Aug. lib. proc., accenso delat(o) a divo Vespasiano*).⁹¹ Here too the *delatio* will have been a mark of special favour.

The majority of these instances show *delatio* by consuls or emperors in Rome. But one refers to a proconsul of Asia, and continued payments by the Aerarium for provincial officials are attested by Modestinus, writing in the first half of the third century, who refers to “military tribunes, prefects, companions [*comites*] of the legates who are registered at the Aerarium or in the *commentarii* [records] of the princeps.”⁹² This evidence is the more valuable because it refers to officials in imperial provinces. The responsibility of the Aerarium for paying the quaestor’s scribes (*scribae*) in a public province is attested in Pliny’s letters.⁹³

In the Republic a provincial governor had to present his accounts (*rationes*) to the quaestors of the Aerarium on his return. There were recurrent conflicts over what exactly had to be recorded, but the actual presentation of accounts is well attested.⁹⁴ A law of Julius Caesar laid down a stricter procedure; Cicero reports from Cilicia that in accordance with it he has left copies of his accounts at two cities in the province and has sent a third to the Aerarium.⁹⁵ The only reference to this procedure from the imperial period comes from a passage of Paulus in the *Digest*: “[no action lies against him] who, on leaving his province, retains the money which was in his possession after reporting to the Aerarium.”⁹⁶ There may have been a distinction between proconsuls and imperial legates in this matter, but there is no

hint of it here.

It is the essential point in the understanding of what the Aerarium was (or rather was not) that the purpose of these accounts was essentially retrospective; their function was to provide a check on the individual governors. There is not the slightest evidence to suggest that the Aerarium officials ever put these accounts together or made up general accounts of the state. That was done for the first time by Augustus, and in doing so he was not reduplicating any function performed by public officials. Dio and Suetonius record that “the accounts of the empire” (*rationes imperii*) were published (how frequently is not stated) by Augustus, by Tiberius until he retired to Capri, and by Gaius.⁹⁷ Some idea of what these “accounts” contained can be gained from what is said of the financial documents which Augustus handed over in 23,⁹⁸ and left in A.D. 14; the latter listed troops, revenues, and expenditures and the amounts of cash in the Aerarium, the provincial *fisci* (treasuries), and the arrears of the indirect taxes in the hands of the tax farmers.⁹⁹ It should be emphasized that Augustus’ financial report had nothing in common with the accounts of a governor, for they were concerned with the public finance of the whole Empire. Some of the information used in compiling the *breviaria* may well of course have come from the accounts in the Aerarium. Plutarch reveals that Cato the Younger, after his term as quaestor, continued to send slaves to copy the financial documents there and thus kept himself well informed.¹⁰⁰

Cash Payments

The essential function of the Aerarium was to be the depository of state valuables. In the early Republic legionary standards (*signa*) were stored there,¹⁰¹ and in 49 Caesar found there, along with the gold and silver, a quantity of silphium;¹⁰² Pliny the Elder lists the amounts of gold and silver, in cash and bullion, contained there at various points down to 49.¹⁰³ The primary task of the officials, symbolized by a pair of scales which stood in the temple,¹⁰⁴ was to make payments in and out.¹⁰⁵ They made such payments, not on their own initiative, but only on the authority of the Senate. This fact, stated explicitly by Polybius,¹⁰⁶ is well illustrated in later sources. At the beginning of the Lex Cornelia de XX Quaestoribus (the Cornelian law concerning the twenty quaestors) we have “the quaestor, who shall have the Aerarium as his province is to pay that sum to that scribe, or [those] scribes, or to his heir” (*quaestorque quei aerarium provinciam optinebit*

eam pecuniam ei scribae scribeisque heredive eius solvito).¹⁰⁷ Cicero retails the Senate's instructions for the erection of a statue to P. Servilius "that Gaius Pansa Aulus Hirtius the consuls, either or both, if they see fit, should direct the urban quaestors to make a contract for the construction and the placement on the Rostra of the said pedestal and statue and see to it that the sum agreed be allocated and paid to the contractor."¹⁰⁸ A slightly different formula occurs in the decree of the Senate (*senatus consultum*) relating to the Secular Games of 17 B.C. "that the consuls, either or both, in future commemoration of the event erect one column of bronze and one of marble, and also contract for the construction of the work, and direct the praetors in charge of the Aerarium that the sum agreed be paid to the contractors" (*uti cos. a(Iter) a(mbo)ve ad f[uturam rei memoriam columnam] aheneam et alteram [m]armoream ... [... eo loco statuunt et id opus eidem] locent, praetoribusque q(ui) [a(erario)] p(raesint) imperent uti redemptoribus ea[m] summam qua locaverint solvant*).¹⁰⁹ The decree of the Senate for the secular games of 204 provides further evidence "towards these games and sacrifices ... let the payments be made from the Aerarium of the Roman people."¹¹⁰

The Senate thus retained the right to vote funds from the Aerarium. Emperors too could dispose of public funds, as Dio explicitly states.¹¹¹ The three latest references to the prefects of the Aerarium at work show them making payments on the instructions of an emperor. The references are in three "letters" of Valerian given in the *Life* of Aurelian. One is addressed to the city prefect (*Praefectus Urbi*) and gives instructions for Aurelian to receive provisions as a reward for his services—"the rest will be provided by the prefects of the Aerarium"; the second tells Aelius Xiphidius, the prefect of the Aerarium, to provide Aurelian with materials and cash "to hold the circus games [*circenses*]"; the third is addressed to the Senate on the opening of the Sibylline books—"whatever costs there might be, I have ordered to be paid by the prefect of the Aerarium in a letter sent to him."¹¹² The genuineness of the letters may legitimately be doubted; but the evidence they provide is reliable, for it shows the officials of the Aerarium doing what they had always done, making payments on the authority of others.

Financial Decisions

It will already be abundantly clear that the Aerarium could not have been the source of policy decisions about finance. It will, however, be

worth listing the few occasions on which the Aerarium officials appear on the political stage. In the *Ad Herennium* we find the urban quaestor telling the Senate “the Aerarium cannot afford such a largess” (the *Lex Frumentaria*, which fixed the price of corn, of 100 B.C.).¹¹³ Under Tiberius a senator rose in the Senate to claim compensation for the undermining of his house by the construction of a public road; the praetors of the Aerarium resisted the claim, so Tiberius paid himself.¹¹⁴ In A.D. 70 the praetors of the Aerarium, “complaining about the poverty of the public treasury [i.e., the Aerarium], demanded to put a limit to expenditure.”¹¹⁵ Finally, there is a rather different type of case, recorded in Pliny’s letters. The scribe of a provincial quaestor died before the payment of his salary. On his return the quaestor consulted the emperor as to what should be done with the money, and he sent the matter to the Senate. It was dealt with as a case between the prefects of the Aerarium and the heirs, each side employing a counsel (*advocatus*).¹¹⁶ Nothing could illustrate more clearly the comparatively humble role of the Aerarium officials.

Their unimportance—in this sense—is confirmed by the fact that attempts at financial policy making in the early Empire (in so far as there were any) were not made by or through them. In A.D. 6 we find Augustus appointing three consulars chosen by lot to cut public expenditure.¹¹⁷ In 42 Claudius appointed three praetorians to recover money owed to the state.¹¹⁸ In 56 Nero put 40 million HS into the Aerarium “to maintain public credit,”¹¹⁹ and six years later he placed three consulars in charge of the public revenues, abusing earlier emperors for spending ahead of income and claiming that he himself had been subsidizing the Aerarium to the extent of 60 million HS per year.¹²⁰ In 70 a commission of senators was selected by lot to restore the public records and place a limit on expenditure.¹²¹ Under Nerva in 97 the Senate selected five senators “to reduce public expense”;¹²² it may have been on their recommendation that Nerva cut expenditure by abolishing some sacrifices, horse races, and other spectacles.¹²³

Conclusion

This chapter is designed only to outline the functions performed by and at the Aerarium itself. The evidence shows that the Aerarium was a depository for cash and documents, some of which related to finance, and that the chief functions of its officials were to accept the cash and documents when lodged there, to preserve them, and to make payments when required to do so. They paid out in Rome, and

the transport of the cash to where it was supposed to be used was a matter for the recipient.¹²⁴ They accepted accounts from provincial governors on their return, but kept no general accounts of the state's finances, and were in no way responsible for financial policy. So far as can be seen, the advent of the Empire made no difference to their duties except to add some judicial functions.

A number of questions remain. Some are concrete—what cash actually came into the *Aerarium*, from what sources of revenue and from what geographical areas? Others are more matters of terminology (though still important for the interpretation of the Empire as a political institution). How long did the various revenues of the *res publica* continue to be called “public”? How are we to see the contrast between *Aerarium* and *Fiscus*? It may be hoped that such questions may now be approached from a more secure standpoint.

Notes

* First published in *JRS* 54 (1964): 33–44. I should like to thank Professor Sir R. Syme for information on the status of *Praefecti aerarii*, Dr. J. M. Kelly for discussing with me the jurisdiction of the *Praefecti*, and Dr. Miriam Griffin for reading this chapter in typescript and suggesting various corrections and improvements. The errors which remain are my own.

1. See “The *Fiscus* in the First Two Centuries,” *JRS* 53 (1963): 29 (chapter 3 in this volume).

2. C. H. V. Sutherland, “*Aerarium* and *Fiscus* during the Early Empire,” *AJPh* 66 (1945): 151ff., on p. 154.

3. See Platner and Ashby, *Topographical Dictionary*, 463–65.

4. *Ibid.*, 506–8.

5. Suet., *Div. Aug.* 29; *CIL* VI 1316 = *ILS* 41; *CIL* X 6087 = *ILS* 886.

6. *CIL* VI 937 = *ILS* 3326.

7. See G. Carettoni, A. M. Colini, L. Cozza, and G. Gatti, *La pianta marmorea di Roma antica (Forma urbis Romae)*, X Repartizione del Comune di Roma (Rome, 1960), Tab. XXI fr. 18d, text p. 75.

8. G. Lugli, *Monumenti minori del Foro Romano* (Rome, 1947), 29–30. He uses (p. 32) the expression “*aerarium sanctum* o *sanctius aerarium*.” A few texts (Livy 27, 10, 11; *ad Att.* 7, 21, 2; Caesar, *BC* 1, 14, 1) seem to show that there was a physical sub-division of the *Aerarium* called the “*aerarium sanctius*.” It is not clear whether this is what Lugli means.

9. *CIL* I² 810 = XIV 153 = *ILS* 892. This dates to before 28 B.C.
See *PIR*² A 54.

10. *CIL* VI 1265 = *ILS* 5937.

11. 23, 14, 5–6.

12. 43, 48, 3.

13. *CIL* I² 593 = *ILS* 6085 = Riccobono, *FIRA*² I 13, ll. 46–47.

14. Tac., *Ann.* 13, 29; Suet., *Div. Aug.* 36; Dio 53, 2, 1. See *CIL* XIV 2604 = *ILS* 965. Cf. Mommsen, *Staatsrecht* II³, 558, n. 1.

15. Tac. and Suet. (n. 14); Dio 53, 32, 2.

16. Tac. (n. 14); Suet. *Div. Claud.* 24; Dio 60, 24, 1–3; *CIL* VI 1403 = *ILS* 966.

17. Tac., *Ann.* 13, 28–29; Dio 40, 24, 1–2. See *CIL* VI 1945 = *ILS* 1933.

18. Tac., *Hist.* 4, 9.

19. *I. L. Alg.* I, 1286: For the date, *I. L. Alg.* I, 1276. Compare *CIL* XI 4181 = *ILS* 1233.

20. *Diz. Epig.* 1, 305–7.

21. *Verr.* II.3, 183.

22. Plut., *Cato Minor* 16.

23. See A. H. M. Jones, “The Roman Civil Service (Clerical and Sub-Clerical Grades),” *JRS* 39 (1949): 38 = Jones, *Studies in Roman Government and Law* (Oxford, 1960), 151. Cf. E. Fraenkel, *Horace* (Oxford, 1957), 14–15.

24. Livy 39, 4, 8; Sisenna Fr. 117 Peter; Suet., *Div. Jul.* 28; Cic., *ad. fam.* 12, 1, 1; Serv., on *Aen.* 8, 322, and on *Georg.* 2, 502. Cf. Cic., *De leg.* 3, 20/46.

25. Jos., *AJ* 14, 10, 10 (219).

26. *CIL* I² 587 = Riccobono, *FIRA*² I 10 *ad fin.*; Dio 45, 17, 3. Cf. (?) Varro, *LL* 5, 42. See Lugli (n. 8), 38.

27. Plut., *Cato Minor* 17.

28. Schol. Bob. Sest. p. 310 Or. = 140 Stangl. The view, argued by Mommsen, *Staatsrecht* II³, 546, n. 2, and normally accepted since, that the law made it obligatory to deposit copies of *proposed* legislation in the Aerarium seems to me unsound. It rests in effect only on Cic., *De leg.* 3, 4/11. For a conclusive disproof of Mommsen, see F. von Schwind, *Zur Frage der Publikation im römischen Recht* (1940), 26–27.

29. Suet., *Div. Aug.* 94, 3.

30. Tac., *Ann.* 3, 51, 3; Dio 48, 20, 4.
31. Dio 54, 36, 1.
32. Dio 57, 16, 2.
33. *CIL* X 5182 = *ILS* 972. See *PIR*¹ U 600.
34. *CIL* XI 6163 = *ILS* 967. See *PIR*² C 1257.
35. *CIL* VI 916 = VI 31201, where the reading in Anon. Einsiedl. (the only authority for the inscription), first rejected by Mommsen and then, in *Staatsrecht* II³, 558, n. 3, accepted, is restored, unjustifiably in my opinion.
36. Tac., *Ann.* 13, 28, 5.
37. Pliny, *Ep.* 1, 10, 9.
38. Val. Max. 2, 8, 1; Appian, *BC* 1, 137; *CIL* I² 582 = Bruns, *Fontes*⁷, no. 8, 1, 17.
39. *HA*, *vita Marc. Ant.* 9, 7–8; *vita Gord.* 4, 8. Cf. Serv., *ad Georg.* 2, 502.
40. *Pro Flacco* 18/43.
41. Plut., *QR* 43 (*Mor.* 275 B–C). For further references, Mommsen, *Staatsrecht* II³, 553–54, III³, 1151–53.
42. *CIL* I² 593 = *ILS* 6085 = Riccobono, *FIRA*² I 13, ll. 46–49.
43. *Pro Flacco* 32/80.
44. Dio 60, 10, 3.
45. Plut., *Q. R.* 42 (*Mor.* 275 A).
46. *CIL* II 1964 = *ILS* 6089 = Riccobono, *FIRA* I² 24, col. 4, ll. 34–35. Compare the fragmentary provision of the *Lex Agraria* of 3 B.C., *CIL* I² 585 = Bruns, *Fontes*⁷, no. II, l. 46.
47. Two extant republican laws, the (*CIL* I² 582 = Riccobono, *FIRA* I² 16 = Bruns, *Fontes*⁷, no. 8, l. 11.) and (*CIL* I² 583 = Riccobono, *FIRA* I² 7 = Bruns, *Fontes*⁷, no. 10, l. 57), provide for the naming of guarantors (to the quaestors of the *Aerarium* by a man who has suffered a fine or condemnation).
48. E.g., Livy 29, 37, 12.
49. Val. Max. 11, 9, 1. See Broughton, *MRR* I, 82.
50. Tac., *Ann.* 13, 28, 3.
51. Suet., *Div. Aug.* 32, 2.
52. 53, 2, 3.
53. Plut., *Cato Minor* 17, 2.

54. Dio 66, 10, 2a (Vespasian); 69, 8, 1² (Hadrian); 71, 32, 2 (Marcus Aurelius). See “The Fiscus in the First Two Centuries,” *JRS* 53 (1963): 29 (chapter 3 in this volume).

55. Tac., *Ann.* 13, 23. The interpretation of this passage is by no means secure.

56. Livy 4, 15, 8; 38, 60, 8; Dion. Hal. 11, 46, 4.

57. Plut., *Cato Minor* 17, 6. See Dio 47, 6, 4.

58. Tac., *Ann.* 13, 28, 5.

59. Dio 60, 4, 4. The reference in Dio’s phrase is made clear by other passages—43, 48; 53, 2, 1; 60, 10, 3.

60. Pliny, *Ep.* 1, 10, 9–10.

61. Suet., *Div. Claud.* 9, 2. Compare Lex Malacitana (*CIL* II 1964 = *ILS* 6089 = Riccobono, *FIRA* I² 24), col. 4, ll. 50–51.

62. Suet., *Nero* 17. Cf. Suet., *Dom.* 9.

63. Pliny, *Pan.* 36.

64. Dig. 49, 14, 13 and 15. “The Fiscus in the First Two Centuries,” *JRS* 53 (1963): 29 (chapter 3 in this volume).

65. See Dig. 49, 14, 42 *pr.*

66. Dig. 2, 15, 8, 19.

67. Dig. 49, 14, 15, 4.

68. Dig. 49, 14, 42, 1.

69. *Corpus Gloss. Lat.* III, p. 31, ll. 50–51.

70. See R. MacMullen, *Soldier and Civilian in the Later Roman Empire* (Harvard, 1963), 54–55.

71. Cic. *ad Att.* 3, 24, 1; *Q. f.* 2, 3, 1; *in Pis.* 5; Suet., *Div. Jul.* 18. See A. H. M. Jones, “The Aerarium and the Fiscus,” *JRS* 40 (1950): 22 = *Studies*, 101.

72. Cic. *in Pis.* 86; *de imp. Pomp.* 37. Note also the fact that Cicero was able to draw money in his brother’s name from the Aerarium while the latter was in his third year as proconsul of Asia, *Q. f.* 1, 3, 7.

73. *de prov. cons.* 28; cf. *Pro Balbo* 61 and Plut. *Caes.* 28. It is not clear whether this means that more money would be sent out from Rome or that he would be allowed to spend more in the province.

74. Plut. *Pomp.* 25; cf. App. *Mith.* 94.

75. See Jones (n. 71), 23 = *Studies*, 103–4.

76. Dio 53, 15, 4–5.

77. Tac., *Agric.* 42, 3; Dio 78, 22, 5.
78. Suet., *Div. Aug.* 36.
79. Jones (n. 71), 24 = *Studies*, 104–5.
80. Compare Orosius 7, 7, 8.
81. Dio 71, 33, 2.
82. *Vita com.* 9, 1.
83. Frontinus, *De aquae ductu* 100.
84. *Fam.* 5, 20, 7.
85. *Pro Balbo* 63.
86. Nepos, *Att.* 6.
87. CIL III 6687 = ILS 2683. See PIR² A 406.
88. CIL III 6983 = ILS 5883 = IGR III 83. See H. G. Pflaum, *Carrières procuratoriennes* (Paris, 1960–61), no. 21.
89. ILS 8860 = OGIS 494. Revised text and commentary, *Ins. Didyma* 272.
90. CIL VI 8409.
91. CIL VI 1962 = ILS 1943.
92. *Dig.* 4, 6, 32.
93. Pliny, *Ep.* 4, 12, 2–4. See below.
94. E.g., Aulus Gellius, *NA* 4, 18, 7–12; *Verr.* II.1, 36–37; 57.
95. *Fam.* 5, 20, 2; *Att.* 6, 7, 2; *In Pis.* 61.
96. *Dig.* 48, 13, 11, 6.
97. Suet., *Calig.* 16; Dio 59, 9, 4.
98. Suet., *Div. Aug.* 28; Dio 53, 30, 1–2.
99. Tac., *Ann.* 1, 11, 5–6; Suet., *Div. Aug.* 101; Dio 56, 33, 2. See Jones (n. 71), 23 = *Studies*, 103–4.
100. Plut., *Cato Minor* 18, 9.
101. Livy 3, 69, 8; 4, 22, 2; 7, 23, 3.
102. Pliny, *NH* 19, 40.
103. Pliny, *NH* 33, 55–56.
104. Varro, *LL* 5, 183.
105. See, e.g., Plut., *Tib. Grac.* 10, 5; *Pro Fonteio* 2/3.
106. 6, 13. See Jones (n. 71), 22 = *Studies*, 101.
107. CIL I² 587 = Bruns, *Fontes*⁷, no. 12 = Riccobono, *FIRA* I² 10, ll. 2–4.

108. Cic., *Phil.* 9, 7/16.

109. *CIL* VI 32323 = Riccobono, *FIRA* I² 40 = Ehrenberg and Jones, *Documents* 30B, ll. 61–63. For the s. c. of 11 B.C. (establishing the *curatores aquarum*), see text to n. 82.

110. *CIL* VI 32326 l. 29 (cf. VI 32324 l. 5).

111. 53, 22, 4. See *JRS* 53 (1963): 41 (chapter 3 in this volume). Marcus Aurelius' request to the Senate to vote funds (see text to n. 81) suggests that, in purist theory though not in practice, the sole right of the Senate was still recognized.

112. SHA, *vita Aurel.* 9, 7; 12, 1; 20, 8.

113. *Ad Herenn.* 1, 12, 21. See Broughton, *MRR* I, 575–76.

114. Tac., *Ann.* 1, 75, 3–4.

115. Tac., *Hist.* 4, 9.

116. Pliny, *Ep.* 4, 12, 2–4.

117. Dio 55, 25, 6.

118. Dio 60, 10, 4. Compare the recovery of public money by C. Sentius Sturninus as consul of 19 B.C., Vell. Pat. 2, 92.

119. Tac., *Ann.* 13, 31, 2. The nearest parallel to this phrase seems to be Livy 7, 27, 4 and 23, 48, 9.

120. Tac., *Ann.* 15, 18, 4.

121. Tac., *Hist.* 4, 40; see 4, 9.

122. Pliny, *Ep.* 2, 1, 9; *Pan.* 62, 2.

123. Dio 68, 2, 3.

124. Note Nic. Dam., *FGrH* 90 F. 130, xviii: in 44 Octavian sent for the money which Caesar had sent to Asia for the Parthian war, and when it arrived, along with the tribute of Asia, abstracted what fell as inheritance to himself and put the public money in the Aerarium.

CHAPTER FIVE

Cash Distributions in Rome and Imperial Minting



In the spring of 1989 I had the pleasure of making a journey through those areas of southern Turkey which were regarded in antiquity as belonging to Syria.¹ My purpose was to acquire at least a general conception of the geography of the northern part of ancient Syria; for the whole region which stretches from the Mediterranean to the desert and the Tigris, and from the Taurus to Egypt was due to form the subject of my book on the Roman Near East.²

Starting from Ankara, we crossed the central plateau of Anatolia and took the modern road which by-passes the Cilician Gates. At that point, if one leaves the modern road where it debouches from the mountains onto the Cilician plain, and climbs up one of the limestone hills which form the lower reaches of the Taurus, one finds a stretch of Roman road, perfectly preserved over a distance of some two kilometres; as was normal, the route chosen followed the crest of the hill rather than the valley.³ I do not know of any scene which expresses more powerfully the nature of the Roman Empire. For in reality it is not a matter of *a* Roman road but of *the* Roman road: that is to say, that major route which ran from northern Italy and the Danube, then through the Balkans to Byzantium, and across Anatolia to Syria and the Euphrates frontier.⁴

From this section of the road one could see the snow-capped peaks of the Taurus to the north, and to the south the Cilician plain and the Mediterranean, and could imagine oneself to be at the very heart of the Empire. For this narrow road, a mere three metres or so in width, which—in its present form at least—would not have allowed more than two soldiers to march abreast, was in reality the link which maintained the unity of the Empire as an integrated system. But to think of the Roman Empire as a system of communications extended in space is necessarily to think of that important work on the provisioning of the army in kind—the *annona militaris*—published by Denis von Berchem in 1937, which has stimulated so much reflection by integrating our conceptions of the road system, of the movements of troops, of the delivery of supplies for them, and of taxation.⁵

But, on the following day, I had yet another occasion to

contemplate the contribution made by Denis von Berchem to our conception of the Roman Empire as an organisation, or as a spatial system. For, after crossing the Amanus, we arrived in the plain of Antioch, and made our way to the coast. All that I had previously come to understand of the nature of this small region was owed to the magisterial article on the port of Seleucia in Pieria published by van Berchem in 1985.⁶ Like pilgrims, so to speak, we traversed the enormous cutting and tunnel there, carried out on the orders of Vespasian and Titus to divert from the port a stream coming down from Mount Coryphaeus (the south-west point of the Amanus). Furthermore, by climbing up to the acropolis of the ancient city, we gained a magnificent view of the port, now filled with earth (and used for growing tomatoes), but perfectly visible from above.

As is indicated by the title of his article, “The Port of Seleucia in Pieria and the Logistical Infrastructure of the Parthian Wars,” van Berchem’s interest in the port was not solely that of an archaeologist, but was directed, once again, to the better understanding of the organic unity of the Empire. He took the occasion to associate with his study of the port a revision of the Latin inscription from near Antioch, which records the work of canalisation of the Orontes, also carried out under Vespasian.⁷ As a result, it became possible to bring ships up the river as far as Antioch, and possibly further, to the lake itself.⁸ It was striking to observe that today there is absolutely no traffic on the river between Antalya and the sea; and it takes some effort to envisage the modern town as a secondary “capital” of the Empire and as the strategic centre of the Roman Near East.

The reader might begin to ask what precisely is the link between the roads and ports of the Roman Near East and the cash distributions, or *congiaria*, carried out by the emperor in Rome. One such link of course is provided by another of the seminal works of van Berchem, on the distributions of corn and cash to the Roman plebs.⁹ But this link does not merely consist in the successive works of a contemporary historian. There is a more profound underlying conception, which consists in the will to envisage in an absolutely concrete way the actual functioning of the imperial system. As an expression of that, van Berchem tended always to leave aside abstractions and theories of government, to offer us instead a “real” Roman Empire, of peasants and harvests, roads, ports, and soldiers, quartered in camps or marching along the roads of the Empire. To maintain these soldiers, the state had to find the means to provide them either with regular

pay in cash, or with supplies of food in kind, or both. In either case the state was obliged to transport across the vast expanses of the Empire enormous quantities of cash or provisions.¹⁰

Let us leave aside the question of the provisioning of the army in kind—of the *annona militaris*, if one wishes to use the term. Equally, when we arrive finally at the city of Rome, let us leave aside the question of how it was provisioned, whether by commercial means or by the free distributions of corn established by the legislation of Clodius in 58 B.C., and maintained throughout the imperial period. Let us concentrate instead on coin, that imperial coin of which two of the most important functions, but not the only ones, were on the one hand that of being brought to the military camps for distribution to the soldiers as *stipendium* (pay) or *donativum* (largesse), and on the other that of being distributed in *congiaria* to the Roman plebs. In my view, this latter function remains more mysterious than people have believed.

It has to be admitted that when I begin to read the major numismatic collections, and even the introductions to Roman coinage designed for students, such as the excellent one published by Andrew Burnett,¹¹ I find myself still quite confused. I find myself in a world which I understand only very partially, and in which, as it seems, no one directs their energies to clarifying the particular questions which interest me. The “berchemian” will to envisage concretely the various aspects of the Roman monetary system seems to be largely absent.

Let me give one example. In order to mint its coins, the state, obviously enough, had to procure vast quantities of gold, silver, copper, or other base metals. How? The answer is not as clear as one might suppose. Was it perhaps by the direct exploitation of imperial mines? Perhaps, in certain cases.

We could think of the copper mines at Phaeno (which in the fourth century lay within the borders of Palaestina, and are now within those of Jordan). They were exploited by the state in the early fourth century and were used for the detention of Christian martyrs who were put to forced labour.¹² But did the state utilise the copper for its own minting? The answer is not certain. In the second century at any rate, we know that the imperial mines in Lusitania had been exploited by leasing them out to contractors against a payment in cash; even as regards the 50 per cent of the ore which the state claimed, it seems that the state in practice took its share in cash.¹³ And if we go further back, to the beginnings of the imperial system, there is no reason to

think that, under Augustus, for example, a category of imperial mines existed. From where, and through what means, did Augustus, or the Roman state of his time, obtain the silver which was required for minting denarii? I do not know. And, so far as I know, the question has not been asked.

But let us admit that with the passage of time the emperors were progressively more in a position to exploit “imperial” mines directly and to acquire stocks of metal from them. How were the ores transported from the mines to be refined and then minted? Was it by means of wagons moving along the roads? In that case, who protected such wagons against robbers? Or was it, if geography permitted, by boat?

As regards the western part of the Empire in the period from the first to the third century, there is at least one question which can be answered. The goal of any such process of transport must have been Rome itself. For it seems certain that after the reign of Nero the sole mint (or mints) which produced coins in gold and silver for the Roman West was (or were) situated in Rome.¹⁴

Therefore, the monetary system of the Empire depended absolutely on the arrival in Rome of the necessary stocks of metal. But it does not follow from that that what was concerned was always newly mined ore, or metal newly refined from ore. There was another possibility, the re-minting of already existing coins which had arrived in Rome in the form of taxes. But that possibility raises an even more difficult question. Is it true that a large part of the taxation revenue of the Empire actually was transported to Rome in the form of coin? Let us recall the “model” of the finances of the Empire offered by Keith Hopkins.¹⁵ The model is as follows. The 50 million inhabitants of the Empire paid some 10 per cent of the “gross national product” in taxes. These taxes were transported from the richer provinces to the poorer ones where (on the whole) the army was stationed, thus producing a sort of integrated inter-regional market, or system of circulation.

Hopkins has nothing to say about the means by which so enormous a quantity of coins could have been transported. If we follow his calculations, we are talking of an annual revenue of some 824 million sestertii, or 206 million denarii. If we think of denarii, the total weight of silver would have been of the order of 775,000 kilograms.¹⁶ To transport such a quantity all at one moment, it would have been necessary, following the calculations of A. H. M. Jones, to assemble 1,610 wagons, each drawn by 4 oxen, thus 6,440 animals in all.¹⁷

Naturally, these calculations are purely theoretical. In reality what was involved was thousands of separate journeys by land or voyages by sea, of which many will obviously have amounted to no more than local or regional movements. But it is essential to insist on the fact that these journeys or voyages, serving the function of distributing their pay to the soldiers, were absolutely essential to the functioning of the Empire. We can, for instance, gain an impression of such a voyage by reading Arrian's *Periplus*. For Arrian records how, as *legatus* (imperial governor) of Cappadocia, he sailed eastwards from Trapezus along the coast of the Black Sea, to visit and inspect the auxiliary forts. At two points in his narrative he describes how he distributed pay to the soldiers.¹⁸ On the first of these occasions five cohorts were involved, thus amounting in principle to some 2,500 men. Given the difficulty of calculating the pay levels of the higher ranks, any estimate of the sum involved must be hypothetical. But, in order to try to envisage concretely what was involved, let us suppose that at this point Arrian had to pay out 100,000 denarii, or 375 kilograms of silver. Such a sum could have been carried in one heavy wagon; on this occasion, of course, it was carried on ship.

To catch a glimpse of the transportation by land of military pay, we need only have recourse to the last letter contained in the second of the two very important papyri from Panopolis, dating to A.D. 300. In this letter the procurator of the Lower Thebaid gives instructions for the provision of a sum of military pay as follows: "to Valerianus, the commander [*praepositus*] of the most noble spearmen [*lancearii*] of *legio III Diocletiana* stationed with you, 50 lbs. of silver and 4 purses [*folles*] of money, which makes 33 talents and 500 denarii, together with a team of four mules and a carriage and a driver."¹⁹ I cannot calculate the total weight of the pay due to be transported in this carriage (*ochema*); it is more important to make the effort to imagine the thousands of local journeys of this type, repeated across the vast expanse of the Empire.

However, I have deliberately left aside a question of central importance for our purposes: what proportion of journeys of this type had as their destination the city of Rome? In my opinion we would be entitled to exclude the possibility that the totality of the taxation revenues in cash from all the provinces was first transported to Rome, then to be re-directed to other provinces. It is at least very probable that a large proportion of the taxation revenues circulated directly from one province to another, without going to Rome. It should be

stressed, however, that to the best of my knowledge our documentation on this question is precisely nil.

However, even if only a modest proportion of the taxation revenues from the provinces flowed each year to Rome in the form of coin, we must at any rate suppose that the indirect (not direct) taxes levied in Rome and Italy were not sufficient for the needs of the capital. By “indirect taxes” I mean the *vicesimae hereditatium* and *libertatis* (the 5 per cent taxes on inheritances and manumissions), the *centesima rerum venalium* (the 1 per cent tax auction tax), and the *portoria* (tolls).²⁰ At any rate, whether from Rome and Italy or from the provinces, quite significant sums were required each year in Rome merely to pay the soldiers stationed there, let alone for other purposes. For instance, in the reign of Septimius Severus, to which I will return later in connection with *congiaria*, the total annual pay of the units stationed in Rome was perhaps something of the order of 12 million denarii.²¹ If these sums were still paid in three *stipendia* (instalments), some 4 million denarii will have been required each time, and for the transport of this sum thirty wagons will have been required, each drawn by four oxen. In any case, if these calculations are not entirely misleading, some 6 per cent of the revenues of the Empire will have been required each year for the payment of military units stationed in Rome. It thus becomes very probable that the revenues of Italy, where until Diocletian no direct taxes were raised, will not have sufficed for the needs of the state in Rome, and consequently that there must have been a constant inflow of provincial revenues to Rome.

If this is correct, is it not curious that this enormous traffic, in ore, in ingots of refined metal, or in coin, has left so little trace in our evidence? No stories of ships which sank, taking with them a whole cargo of provincial revenue in cash? No robbers or bandits who gained fame by intercepting a column of wagons loaded with coins en route to a port, or being transported towards Rome? No case of a soldier with the task of escorting such a waggon, who instead helped himself to a sack of coin and disappeared? So far as I know, we can find no anecdotes of this sort. However, if our literary sources fail us, it is always possible that some of the known hoards, on land or sea, derived in reality from imperial consignments of coin.²²

I have just stated that it is at least very probable that a significant volume of provincial revenue was transported to Rome in cash for the payment of the troops there. But we must remember also the fact to which reference was made earlier, namely that it must also have been

necessary to transport to Rome (in whatever form) large quantities of gold, silver, and base metals to be minted—or re-minted—at the mint in Rome. The two categories may of course have overlapped, and both may have performed similar functions (e.g., the units in Rome could have been paid either in coins brought as taxation revenue or in newly minted coins).

At any rate, even if we think only of minting (or re-minting), the quantities concerned were considerable. According to Andrew Burnett, for example, in the second century some 1 million aurei (gold coins) per year may have been minted in Rome.²³ For that purpose some 7,850 kilograms of gold would have been required,²⁴ and if it had been necessary to transport them at a single moment some sixteen heavy wagons would have been needed. But, if this figure of 1 million aurei per year has any validity, it is also very revealing as regards *congiaria*, to which we will return later.

It is at any rate certain that the mint of Rome produced considerable quantities of coin in gold, silver, and base metals. But the question of *what* was minted remains entirely obscure. In order to strike new coins, did they re-mint existing coins, delivered to Rome as taxation? Or was it normal to use ingots derived more or less directly from mining? Or stocks of metal previously stored up in Rome? Or perhaps even ornaments, gold or silver statues, and decorative objects of that sort?²⁵ All this possibilities are discussed in a paper by C. J. Howgego,²⁶ who contests, not without justification, various conclusions arrived at in a now classic paper by Michael Crawford.²⁷ Howgego's principal purpose is to dispute Crawford's theory that ancient states struck coins solely in order to be able to make their own necessary payments. In itself, this theory is certainly too inflexible. But, beyond that, it rests on a presupposition which is by no means beyond question: that is to say that, in order to make payments, an ancient state needed normally to strike *new* coins. But, for example, the idea that every payment made to each of the 300,000 to 400,000 soldiers in the Roman army²⁸ will normally have been carried out in new coin is surely absurd, presupposing as it does an inconceivably vast scale of minting. On this basis, the imperial mints would have had to mint, or re-mint, perhaps some 105 million denarii each year in the second century.²⁹ But it is generally known that in the imperial period the coins in circulation included some minted even as much as a century earlier. There is, in other words, no need to suppose that, when soldiers were paid, they received only newly minted coins.

One could however pose the question of *donativa* (largesses) in this context. It is surely possible that a *donativum*, being in principle a personal gift from the emperor to the individual soldier, was regularly paid in newly minted coins. This is precisely the question which forms the subject of an important work by P. Bastien, dealing with *donativa* in the late Empire, their relation to minting, and the utilisation for these occasions of specific types of coin.³⁰ Bastien asks the precise question: were there coins which were struck specifically for *donativa*? His reply is that there were, at least for the more important occasions.

I am not in a position to review with any confidence the production of coins in the fourth century. So, as regards this question, I would only wish to say that to me the Panopolis papyrus of A.D. 300, referred to earlier,³¹ suggests a significantly different procedure: that is to say that the two formally distinct types of payment to soldiers—*stipendium* and *donativa*—were both carried out by the use of a mixture of coin, none of which seems to give the impression of being a special new issue. In the last letter in the papyrus, referred to above (text to n. 19), the writer speaks also of a quantity calculated in pounds of silver.

As regards the soldiers who belonged to legions or auxiliary units stationed in the provinces, I see no reason to believe that there was a system for the payment of either *stipendium* or *donativa* which necessitated the striking of new coins. In the case of legions or auxiliary units in the western provinces, such a system would have required the transport to the mint of Rome of enormous quantities of coins or ingots, a constant process of minting, or re-minting, at Rome, and then the transport of the coins back to the provinces. Everything is possible. But I can find no trace of such a system in our evidence.

But none the less we need to be cautious. I have so far left aside another type of payment made by the Roman state for the benefit of soldiers. I mean the *praemia* (discharge benefits) paid to legionary veterans at the moment of their discharge from service (or at any rate to those who survived to the required age of about forty-five). As is well known, we are concerned with relatively substantial sums compared to the annual *stipendium*. During the first two centuries of the Empire the *praemium* granted to a veteran seems to have been some 12,000 sesterces, or 3,000 denarii, which was equivalent to the pay for about twelve years of service in the first century and (if the *praemium* remained the same) about ten after Domitian.³² So far as I know, no one has attempted to calculate how many soldiers will have

survived until the age of discharge (after twenty-five years) and will thus have received their *praemia*. So the total expenditure each year is quite uncertain. But in any case, in this instance too we find ourselves confronted with the same problem, that of geography and transport. Obviously, the vast majority of the soldiers in the Roman army were stationed in the provinces, and generally in areas on, or at any rate near, the actual frontiers. I would presume that it was therefore in the camp itself that the soldier received his discharge and his *praemium*—in the time of Augustus at least, 3,000 denarii or 120 aurei. It will be worth noting that 120 aurei will have weighed about 1 kilogram, but 3,000 denarii rather more than 11 kilograms.

Or is it possible to imagine, on the contrary, that in order to receive his *praemium* every discharged legionary had to present himself in Rome? Surely not. But, before giving a confident answer, we have to take into account some relevant analogies. Firstly, the auxiliary units were also stationed in the provinces. But it was at Rome, on the Capitol, that the bronze tablets recording the privileges given to auxiliaries of any one province, when discharged en masse, were put up.³³ The documents which we have which relate to this process are secondary ones, namely the portable *diplomata* (certificates), each in the name of one auxiliary soldier, discharged, along with many others, on such an occasion. Were these individual, passport-sized, bronze *diplomata* despatched automatically to each soldier in his camp? Surely not. The evidence quite clearly suggests that any auxiliary veteran who wanted an individual *diploma* had to get a copy of the text which was inscribed on the Capitol and have it attested by witnesses. Therefore, either someone had to go to Rome to get the copy made, or the veteran had access to a copy held somewhere else, presumably in his province. But the latter possibility is a pure hypothesis. What the individual *diploma* referred to as its source was the bronze tablet put up on the Capitol. The communications, and the geographical relationships, involved remain mysterious.

So far as we know, discharged auxiliaries did not receive a *praemium*. But it is precisely one of the individualised *diplomata* recording the rights which auxiliaries received on discharge which must make us hesitate before expressing any certainty as to how and where the *praemia* in cash to which the discharged legionaries (by contrast) were entitled were delivered to them. For it is an auxiliary *diploma* of A.D. 65 which records that the *aerarium militare* (military treasury), out of which legionary *praemia* were paid, was an actual

building, or structure, situated on the Capitol:³⁴ “Copied down and checked from the bronze tablet which has been put up in Rome in front of the *aerarium militare*, on the statue base of the Claudii Marcelli.”

Even if the valuable discussion of this text by Mireille Corbier does not succeed in pointing to an exact localisation for the *aerarium militare*,³⁵ its importance is none the less clear. As regards the older “treasury,” the Aerarium Saturni, situated (in some way which is not clear), in the ancient temple of Saturn, it is certain that it retained until the imperial period its archaic function as a storehouse of valuables and as an archive of official documents. But although we have some evidence on this point, for instance a letter of Pliny the Younger,³⁶ it remains difficult to conceptualise the functioning of the Aerarium Saturni as a government “office,” or to understand the role of the prefects of the Aerarium Saturni. So far as I know, since my article of 1964,³⁷ the study of the two treasuries has been pursued systematically only by Mireille Corbier, and even then primarily as regards the prosopography of the relevant officials.³⁸ The continued existence, at the centre of a vast empire, of an institution whose fundamental character was strikingly archaic serves to raise once again the question of the role of the city of Rome within the imperial financial system. Was it the case, or not, that vast numbers of coins were regularly transported to Rome, and then re-exported to the provinces? The question applies to the ancient Aerarium Saturni. But, now that we know that the *aerarium militare* was also some sort of physical structure situated on the Capitol, we have to ask ourselves whether we should conceive of it too as a sort of government “office,” concerned with paper transactions; or was it too a physical “treasury” or storehouse, to which coin was brought from the provinces and then re-exported, to be paid out as *praemia* to discharged legionaries? What does seem inconceivable is that each discharged legionary would have had to come to Rome from the province where he had been stationed in order to receive his *praemium*.

At any rate, for all the complex questions relating to the stockpiling at Rome of enormous quantities of ore, we need to refer once again to an important paper by Mireille Corbier, who makes the essential comparison between treasures and storehouses (*horrea*),³⁹ that is to say that she has seen that coins too were a type of product, which needed to be manufactured, transported, and stored.

However, even if we leave aside the difficult question of the

praemia of the legionaries, it is obvious that it must have been necessary to maintain stocks of coin in Rome, sufficient to provide not only for the annual pay of the praetorians while in service, but for the *praemia* which they received on discharge. Given the relatively small numbers of praetorian soldiers, probably some 5,000, and then 10,000 in the reign of Septimius Severus,⁴⁰ the sums necessary for paying their *praemia* will have been correspondingly modest. But we have to remember that the *praemium* received by a praetorian was higher, and that it was paid after a shorter period, sixteen years. In relation to the numbers serving, therefore, payments will have been more frequent, and the chances of the individual surviving to the relevant age will have been higher.

As regards the praetorians, there was another reason why it will always have been necessary to have available very large stocks of coin in Rome, namely *donativa*, which could on occasion be as high as 5,000 denarii per praetorian soldier. For example, after the murder of Geta in 211, Caracalla made a payment of 2,500 denarii to each praetorian,⁴¹ hence a total of at least 25 million denarii, or, if the payment were made in gold, about 1 million aurei. If we accept the suggestion made by Andrew Burnett (text to n. 23 above), that was the equivalent of the typical annual production of aurei for the whole Empire.

These extended preliminaries have been necessary, I suggest, in order to locate the imperial distributions of cash to the plebs of Rome (*congiaria*) in the wider context of the financial and monetary system of the Empire. As I indicated earlier (text to n. 21 above), I would like to focus attention on the reign of Septimius Severus, above all because it is in relation to the celebration of the tenth anniversary of his rule in A.D. 202 that Cassius Dio offers us the most detailed description of such a distribution:⁴² “On the tenth anniversary of his reign Severus offered to all those who were in receipt of the [regular] distributions of corn, and also to the praetorian soldiers, chrysoi [aurei] equal in number to the years of his rule ... on this munificence [*dorea*] 50 million drachmai were expended.” It is clear from this that the sum due was calculated in aurei, each person receiving ten, while the list of those entitled was drawn directly from the list of those in receipt of the regular monthly distributions of corn. Leaving aside the praetorians, Dio’s figures imply that the list contained 200,000 persons. His description does not of course tell us in which type of coin payment was made: 10 aurei each, or 250 denarii, or 1,000

sestertii?

At any rate, while Dio explains the rationale for the level of distribution in terms of aurei (one per head for each year of the reign), he expresses the total in drachmai = denarii. The total given, 50 million, is very significant, if we put it into relation with the estimate by Keith Hopkins of the total annual revenue of the Empire, perhaps some 250 million denarii, or 1 billion sestertii, *per annum* in this period.⁴³ Hence the distribution made to the plebs of Rome in A.D. 202 may have been the equivalent of a fifth of the public revenues for a year. It is certainly essential to use the term “equivalent,” for in principle such a *liberalitas* was not drawn from public funds, but had the character of a personal gift from the emperor.⁴⁴ There is a clear contrast with the *frumentum publicum* (public corn), originally established by the legislation of Clodius in 58 B.C.—a contrast which remains, even though it was precisely the recipients of the monthly public corn ration who were designated as the objects of the Emperor’s ad hoc demonstration of liberality in cash.

Here too, as regards the distribution of coin, we have to try to envisage the physical processes involved. Was the *liberalitas* paid in silver denarii? In that case we would have to remember that 50 million denarii would have weighed 188,000 kilograms. To transport such a mass of coin at one moment, if that had been necessary, would have required 390 heavy wagons, each drawn by 4 oxen, hence 1,560 oxen in all.

Suppose by contrast that the payment were literally made in aurei: 2 million aurei (twice the entire annual production at the level suggested by Andrew Burnett), each weighing some 7.20 grams, would have weighed about 14,400 kilograms. Therefore, some 30 heavy wagons and 120 oxen would have been required to transport it. It does therefore seem quite likely that the actual payment corresponded in form to the symbolic basis of the occasion: one aureus per year for each of the ten years of the reign, paid to each of the 200,000 recipients of the *frumentum publicum*. For otherwise the payment, if made in the form of 250 denarii per head, would have involved a weight of just under a kilogram for each person.

But even in the former case, the use of aurei, we need to try to envisage just what will have been involved in preparing a stock of 2 million aurei for distribution. First, if newly minted coins were to be used, it may have been necessary to triple the size of the normal output of aurei: for a *congiarium* was a special occasion, over and

above the normal uses to which aurei were put, whatever these were. Alternatively, if the distribution were to depend on the stock of aurei currently in circulation, it would have been necessary to take steps to collect a sufficient quantity, perhaps starting several years in advance, to transport them to Rome, and to stockpile them. Severus was absent from Rome from 197 to mid-202,⁴⁵ so this process, if it were needed, may have taken place largely in his absence, with reserves building up as against his return, and the planned *liberalitas*. Alternatively, there may have been vast stocks of coin already to hand in Rome. But where? Possibly in the temple of Saturn—but, as indicated above, the *liberalitas* was supposed to be a private gift from the emperor. Alternatively, it is possible that the coins were stored in the *apothekai* (magazines) for Egyptian and Arabian products which, according to Cassius Dio, were situated between the temple of Peace and the Palatine.⁴⁶ Unfortunately this is one of the areas of the centre of Rome whose character and function in the imperial period remains particularly mysterious.⁴⁷ Or, as Denis van Berchem once suggested, were the stocks of coin kept somewhere in the Forum of Trajan?⁴⁸ Quite strong support for this hypothesis is offered by the reference in the *Fragmenta Vaticana* to “the imperial treasurers who have their positions in the Forum of Trajan”;⁴⁹ it is surely relevant that, according to a scholion on Juvenal (10, 24), senators had *arcae* (chests) there for the safe-keeping of silver and coin. Moreover, the *Historia Augusta* records that Commodus, when he gave a *congiarium* as a boy, presided at the distribution while taking his seat in the “basilica of Trajan,” which certainly means the basilica of Trajan’s Forum.⁵⁰ It would then be possible to imagine that the coins required had been stockpiled, for a shorter or longer period, somewhere in the Forum complex, perhaps not far from the *tribunal* on which, as we know from representations on coins, the emperor would take his seat. But, even as regards very short-distance movements such as these, it should still be stressed that bringing out some 14,000 kilograms of gold coins must have meant some 350 to 400 sack-loads to be carried by porters (*saccarii*) on their backs.

However, that may be enough of these necessarily speculative calculations. It may be more appropriate to conclude by recalling that, in his book on the distributions of corn and money to the Roman plebs, published more than sixty years ago, Denis van Berchem expressed a hope which we would have to admit has not yet been fulfilled: that a history of the imperial finances might soon be published which would provide a new conception of this still obscure

aspect of Roman institutions.⁵¹ Such a study is still awaited, and the Empire continues to keep its secrets.

Notes

* First published in French, as “Les congiaires à Rome et la monnaie,” in A. Giovannini, ed., *Nourrir la plèbe: actes du colloque tenu à Genève les 28 et 29.IX.1989 en hommage à Denis van Berchem* (1991), 143–59. I would like to thank C. J. Howgego and C. E. King very warmly for information and critical observations which have greatly contributed to improving this chapter.

1. I am extremely grateful to my companion on that journey, Dr. C. S. R. Lightfoot, then assistant director of the British Institute at Ankara, whose knowledge of the area, and boundless energy and enthusiasm, made it possible both to cover the whole region in a few days and to visit various remote and inaccessible sites.

2. *The Roman Near East, 31 BC–AD 337* (1993).

3. For this stretch of road, see W. M. Ramsay, *Cities of St. Paul* (1907), with the map on p. 106, and pl. 2. See also M. Hellenkemper and H. Hild, *Neue Forschungen in Kilikien* (1986), 96–97 and pls. 139–40. Moreover, Dr. David French was kind enough to inform me by letter that the stretch of road in question, although certainly a section of the great trans-Anatolian route, should in its present state be regarded as a reconstruction dating to the late Empire.

4. On the Anatolian section of this route, see D. French, *Roman Roads and Milestones of Asia Minor I: The Pilgrim's Road* (British Institute of Archaeology at Ankara, Monograph 3; BAR Int. Ser., 105, 1981).

5. D. van Berchem, *L'annone militaire dans l'Empire romain au 3e siècle* (1937).

6. D. van Berchem, “Le port de Séleucie de Piérie et l'infrastructure logistique des guerres parthiques,” *Bonner Jahrbücher* 185 (1985): 47–87.

7. *Mus. Helv.* 40 (1983): 185–96, revised in *Bonner Jahrbücher* (n. 6), 85–87, whence *AE* 1983, no. 927.

8. Pausanias, *Description of Greece* 8, 29, 3, refers to the work of canalisation and its purpose, without actually naming the emperor who gave orders for it.

9. *Les distributions de blé et d'argent à la plèbe romaine* (1939).

10. I will allow myself to mention also, while thinking of space and

movement, D. van Berchem, *Les routes et l'histoire. Études sur les Helvètes et leurs voisins dans l'Empire romain* (1982).

11. A. Burnett, *Coinage in the Roman World* (1987). Note also now C. J. Howgego, *Ancient History from Coins* (1995).

12. On the exploitation of these mines, and on the condemned Christians who worked there, see F. Millar, "Condemnation to Hard Labour in the Roman Empire, from the Julio-Claudians to Constantine," *Papers of the British School at Rome* 52 (1984): 124–47, esp. 140–41 (chapter 7 in this volume).

13. See esp. C. Domergue, *La mine antique d'Aljustrel (Portugal) et les tables de bronze de Vipasca* (extrait de *Conimbriga* 22, 1983).

14. See, e.g., J. P. C. Kent, "The Monetary System," in J. Wachter, ed., *The Roman World II* (1987), 568–85. It must be admitted that we understand very little about the actual working of the mint at Rome. See R. A. G. Carson, "System and Product in the Roman Mint," in R. A. G. Carson and C. H. V. Sutherland, eds., *Essays in Roman Coinage Presented to Harold Mattingly* (1956), 227–39; M. Peachin, "The Procurator Monetae," *Numis. Chron.* 146 (1986): 94–106.

15. K. Hopkins, "Taxes and Trade in the Roman Empire (200 BC–AD 400)," *JRS* 70 (1980): 101–25.

16. According to Kent (n. 14), 570, the denarius weighed on average 3.76 grams.

17. See A. H. M. Jones, *The Later Roman Empire* (1964), 830–31. The heaviest wagon (*angaria*) used on the *cursus publicus* (the state transport system) of the late Empire was supposed to carry a maximum load of 1,500 Roman pounds, each of 321 grams, hence a total of 481.5 kilograms. This figure will be used here on the assumption that there was no systematic change in the maximum size of the wagon between the early Empire and the late.

18. Arrian, *Periplus Mari Euxini* 6; 10.

19. T. C. Skeat, *Papyri from Panopolis in the Chester Beatty Library, Dublin* (1964), 105–7. On the level of military pay and *donativa* in this period, see R. Duncan-Jones, "Pay and Numbers in Diocletian's Army," *Chiron* 8 (1978): 541–60, revised in *Structure and Scale in the Roman Economy* (1990), 105–17; J. Jahn, "Zur Entwicklung römischer Soldzahlungen von Augustus bis auf Diocletian," *Studien zu Fundmünzen der Antike* 2 (1984): 53–74.

20. For the very low level of administrative or fiscal activity in Italy on the part of the Roman state during the earlier Empire, see F.

Millar, "Italy in the Roman Empire, Augustus to Constantine," *Phoenix* 40 (1986): 295–318 (chapter 17 in this volume).

21. For the total number of soldiers in the various units stationed in Rome under Septimius Severus, see E. Birley, "Septimius Severus and the Roman Army," *Epigraphische Studien* 8 (1969): 63–82, reprinted in *The Roman Army: Papers, 1929–1986* (1988), 21–40. According to these calculations the total number of soldiers in the praetorian cohorts, the urban cohorts, and the *vigiles* (fire brigades) was some 23,000. As is well known, the pay levels of these various units (and even more, evidently, that of the various grades between *miles gregarius* [common soldier] and centurion in these units) is very difficult to determine. As a rough basis I have estimated their average annual pay at 500 denarii, or 2,000 sesterii.

22. I mention only a few examples, for which I am entirely indebted to information from C. J. Howgego and C. E. King; P. Salama, "Les trésors maxentiens de Tripolitaine," *Libya Antiqua* 3–4 (1966–67): 21–27; R. A. G. Carson, "A Treasure of Aurei and Multiples from the Mediterranean," in P. Bastien, F. Dumas, H. Huvelin, and C. Morrison, eds., *Mélanges de Numismatique, d'Archéologie et d'Histoire offerts à Jean Lafaurie* (1980), 59–73.

23. Burnett (n. 11), 50. It should be made clear that Andrew Burnett himself presents this figure only as a hypothesis. But it will be retained here as a means of producing a framework for comparison, and for posing questions.

24. Kent (n. 14), 570, states that the average weight of an aureus was 7.85 grams.

25. For some examples of the melting down and minting of treasures or stocks of ornaments, see F. Millar, *The Emperor in the Roman World* (1977; 2nd ed., 1992), 144–47.

26. C. J. Howgego, "Why Did Ancient States Strike Coins?," *Numis. Chron.* 150 (1990): 1–25.

27. M. Crawford, "Money and Exchange in the Roman World," *JRS* 60 (1970): 40–48; revised version in Italian in M. Crawford, *La moneta in Grecia e a Roma* (1982), chap. 5.

28. As is well known, the question of the total size of the Roman army in the Empire remains open to discussion. See, e.g., A. R. Birley, "The Economic Effects of Roman Frontier Policy," in A. King and M. Henig, eds., *The Roman West in the Third Century* (BAR Int. Ser. 109, 1981), 39–53; R. MacMullen, "The Roman Emperor's Army Costs,"

Latomus 43 (1984): 571–80.

29. So MacMullen (n. 28), 580.

30. P. Bastien, *Monnaie et donativa au Bas-Empire* (Numismatique romaine 17, 1988), 37.

31. Text to n. 19.

32. See the classic article of P. A. Brunt, “Pay and Superannuation in the Roman Army,” *PBSR* 18 (1950): 50–71; and also Jahn (n. 19).

33. For valuable discussions of *diplomata* and the privileges granted to discharged auxiliaries, see W. Eck and H. Wolff, eds., *Heer und Integrationspolitik: Die römische Militärdiplome als historische Quelle* (1986). See also M. M. Roxan, “The Distribution of Roman Military Diplomas,” *Epigr. Stud.* 12 (1981): 265–308.

34. Published by S. Dušanic, “A Military Diploma of AD 65,” *Germania* 56 (1978): 461–65; *AE* 1978, no. 658; M. M. Roxan, *Roman Military Diplomas, 1978–1984* (1985), no. 79.

35. M. Corbier, “L’aerarium militaire sur le Capitole,” *Cahiers du groupe de recherches sur armée romaine et les provinces* 3 (1984): 147–60.

36. Pliny, *Epp.* 1, 10.

37. F. Millar, “The Aerarium and Its Officials under the Empire,” *JRS* 54 (1964): 33–40 (chapter 4 in this volume).

38. M. Corbier, *L’aerarium Saturni et l’aerarium militare: administration et prosopographie sénatoriale* (1974).

39. M. Corbier, “Trésors et greniers dans la Rome impériale (Ier–IIIe siècles),” in *Le système palatial en Orient, en Grèce et à Rome* (Actes du Colloque de Strasbourg, 1985) (1987), 411–43.

40. See n. 21 above.

41. Herodian 4, 4, 7; for other figures see J. B. Campbell, *The Emperor and the Roman Army* (1984), 170–71.

42. Cassius Dio 77, 1, 1 (ed. Boissevain, III, 357).

43. Hopkins (n. 15), 117, 119.

44. For the ideology of imperial largesse, see esp. P. Veyne, *Le pain et le cirque: sociologie historique d’un pluralisme politique* (1976), 534–730, translated, and somewhat abbreviated, as *Bread and Circuses: Historical Sociology and Political Pluralism* (1990), 292–482.

45. See H. Halfmann, *Itinera Principum* (1986), 217–18.

46. Cassius Dio 72, 24, 1. For the stores of valuables and edible

products in the possession of the emperor, see Millar (n. 25), 144–53.

47. See now E. M. Steinby, ed., *Lexicon Topographicum Urbis Romae* III (1996), s.v. “Horrea piperateria” and “Horrea Vespasiana.”

48. Van Berchem (n. 10), 165.

49. Ulpian, *Frag. Vat.* 134: *Arcari Caesariani, qui in foro Traiani habent stationes.*

50. *HA*, V. *Commodi* 2, 1: *adhuc in praetexta puerili congiarium dedit atque ipse in basilica Traiani praesedit.*

51. Van Berchem (n. 10), 127.

CHAPTER SIX

Epictetus and the Imperial Court



What we know of Roman political life under the early Empire we owe mostly to senatorial writers, and to an equestrian, Suetonius; a single imperial freedman, Phlegon of Tralles, has left some scraps of information about the court in his own time and before.¹ It is therefore worth paying some attention when we have a lengthy text which reproduces the observations on human life and fortune of a man who was himself the slave of an imperial freedman. Epictetus has been little used as a historical source; it is the aim of this chapter to bring out both the extent and the value of his references to Roman society and politics in his own time.

Before we can assess the value of these references, we must examine both the experience on which they are based and the authenticity of the text in which they occur. Epictetus originated from Hierapolis in Phrygia; according to an inscription he was born a slave.² Either by birth or sale, he belonged to Epaphroditus, the freedman and a *libellis* (the official in charge of petitions) of Nero, who after Nero's death survived unharmed until relegated, and then (in 95) executed, by Domitian.³ Whether Epaphroditus remained a *libellis* under the Flavians is not clear, though the likelihood is that he did not. This view would be supported if we could be sure that it was the same Epaphroditus who encouraged Josephus in the writing of his *Antiquities*, completed in 93–94. For Josephus describes this man as “taking special pleasure in the experiences of history, conversant as he himself has been with large affairs and varying turns of fortune.”⁴

It is unfortunately not clear whether Epictetus was in Rome as early as the reign of Nero. He does however refer in his *Dissertations* to a number of incidents in that reign—the reply of Demetrius the Cynic when threatened with death by Nero,⁵ a discussion between Paconius Agrippinus and Florus (L. Mestrius Florus, the patron of Plutarch?)⁶ as to whether the latter should take part in a theatrical performance put on by Nero,⁷ the scene at the execution of Plautius Lateranus in 65,⁸ a conversation between Thræsea Paetus and Musonius Rufus on the dangers of death and exile,⁹ or the calm reaction of Paconius Agrippinus to the news of his exile in 66.¹⁰ There are also some stories

(discussed below) about his master, Epaphroditus, one of which is explicitly dated to before the execution of Lateranus. Such stories might indicate that Epictetus was already in Rome; but, especially as most of them belong in the Stoic martyr tradition, they cannot prove it.

All that we can be sure of is that he was in Rome in the Flavian period, when he was a friend and disciple of Musonius Rufus.¹¹ He tells an anecdote of Musonius' reaction to the news of Galba's death¹² and records a conversation between himself and Musonius in which they referred to the burning of the Capitol in 69 (or possibly the burning in 80),¹³ and another where they talked about the cruelty of Epaphroditus.¹⁴ Then there are a couple of references to another pupil of Musonius, Euphrates the philosopher and rhetorician, though neither of them clearly indicates personal acquaintance.¹⁵ He also quotes verbatim a dialogue (not mentioned in any other source) between Helvidius Priscus and Vespasian, who had ordered him not to attend the Senate:

"It is in your power not to allow me to be member of the Senate, but so long as I am one I must attend its meetings." "Very well then," he [Vespasian] said, "when you attend, hold your peace." "Do not ask me for my opinion and I will hold my peace." "But I must ask for your opinion." "And I too must answer what seems right." "But if you speak, I shall kill you."¹⁶

The reference to Vespasian asking opinions (*sententiae*) shows that the dialogue, if authentic, took place during one of Vespasian's consulates (probably 71 or 72, since Helvidius seems to have been executed fairly early in the reign). Then Epictetus mentions the banishment under Domitian of Gratilla (Verulana Gratilla, possibly the wife of Arulenus Rusticus) and the courage of another woman who persisted in sending a boatload of supplies to her.¹⁷

This period of Epictetus' life ended when Domitian expelled the philosophers from Rome, probably in 92–93.¹⁸ Epictetus retired to Nicopolis in Epirus, where he remained. It should be noted that there is no evidence as to whether Epictetus had previously been manumitted by Epaphroditus, or as to what his status was at this time or later.

It was at Nicopolis that he had as his pupil, among many others, Arrian; and it is to the four books which remain of Arrian's transcript of Epictetus' homilies and dialogues that we owe the vast majority of what we know about him.¹⁹ In the letter to Lucius Gellius (perhaps L.

Gellius Menander, a prominent Corinthian of the Hadrianic period),²⁰ which forms the preface to the existing text, Arrian claims that he wrote down Epictetus' words exactly as they were spoken and deliberately avoided any process of literary composition.²¹ Internal evidence supports this claim. For instance, the Dissertations use the *koine* whereas elsewhere Arrian writes in Attic,²² and the homilies in the first book at least come in chronological order.²³ Epictetus' teaching, which seems to have centred round the reading out of passages from Stoic writers, sometimes took the form of homilies on general topics, sometimes of homilies to, or dialogues with, one of his regular pupils or a visitor from Rome or elsewhere, and sometimes of imaginary dialogues in which Epictetus himself took both parts.²⁴

The date of the Dissertations (given that we do not know how long Arrian stayed) can be established within a year or two. Firstly, we know the reign from a comparison Epictetus makes between the coinage of Nero and of Trajan.²⁵ Then, giving examples of major wars, Epictetus ends "and now the Romans against the Getae"²⁶—that should mean at least that he was speaking before the outbreak of the Parthian war in 113. Moreover a number of passages (discussed below) indicate that the time was one at which the emperor was in Rome (so 99–101, 102–4, or late 106–early 113). But the vital passage is the long dialogue between Epictetus, and a Roman visitor called Maximus, described as "commissioner" (*diorthōtes*) and "judge" (*kritēs*) of the Hellenes. There is no concrete argument against identifying this man with the Maximus to whom Pliny writes in *Ep.* 8, 24, about his appointment "to set in order the conditions of the free cities" (*ad ordinandum statum liberarum civitatum*) in Greece.²⁷ Book VIII of the letters belongs in about 108,²⁸ and this letter should be fairly close in date to the dialogue, which implies clearly that Maximus is on the way to take up his post. Moreover, Arrian was suffect consul about 130;²⁹ if this was at the standard age of forty-two or so,³⁰ Arrian will have been about twenty, just the age one would expect, when he sat at the feet of Epictetus.

This then is the setting in which Epictetus was speaking, Nicopolis about the year 108. Even Stoics are human, and one cannot but note how often Epictetus' mind turned to Rome and Roman life, which he had left some fifteen years before. He mentions details of topography, the Aqua Marcia³¹ or the altar of Febris on the Palatine,³² scenes from the circus or the theatre—as when a man covered his head while the horse he backed was running and had to be revived with sponges

when it won³³—or from the Saturnalia.³⁴ Then he refers to the freeing of a slave before the praetor (and payment of the *uicesima libertatis*, that is, the 5 per cent tax paid on setting a slave free),³⁵ to meeting a consul in the street³⁶ or to a man's rejoicing on being elected tribune:

"He has been honoured with a tribunate," someone says. All who meet him offer their congratulations; one man kisses him on the eyes, another on the neck, his slaves kiss his hands. He goes home; he finds lamps being lighted. He climbs up the capitol and offers sacrifice.³⁷

The scene he portrays of a host boring his guests with accounts of his heroic deeds on campaign in Moesia³⁸ might reflect life in Rome—but equally well anywhere in the Empire. But he also mentions explicitly how Roman ladies of easy virtue kept copies of Plato's *Republic* because he advocated the sharing of wives,³⁹ or relates an incident when he was in company with the Roman philosopher Italicus.⁴⁰ He also describes how a bold philosopher could approach a man of consular rank and question him about the care of his soul until the man would be provoked to strike him—"this was the pursuit I too was very fond of once upon a time, before I fell to my present state."⁴¹

At one point, talking about advertising for patients by doctors in Rome, he complains in the manner of exiles that things have changed since his time;⁴² his testimony is perhaps equally out of date in a passage—which should reflect conditions under Domitian—where he describes how soldiers act as spies in Rome: wearing civilian dress, they encourage people to speak ill of the emperor and then arrest them.⁴³ The same should be true when he speaks of the possibility of being forced to kiss the feet of Caesar.⁴⁴ On the other hand, we find him mentioning adoption by the emperor—"yet, if Caesar adopts you, no one will be able to endure your conceit."⁴⁵ The reference, and the tone of it, is striking enough when made in the reign of Trajan. But, more specifically than that, in 108 Hadrian was suffect consul, and during his consulship (according to the *Historia Augusta*) was told by Licinius Sura that Trajan was going to adopt him.⁴⁶ Do Epictetus' words reflect contemporary rumour and speculation on the issue?

Since Rome and Roman political life loomed so large in the mind of Epictetus, it is not surprising that when he came to discourse to his pupils on what men imagined to be good fortune or bad, freedom or slavery, he should frequently use as examples cases involving the favour or disfavour of the emperor. Some of these are real incidents, some imaginary or typical cases. We also find him on occasion, as with Maximus, in conversation with real individuals passing through,

or living in, Nicopolis, and discussing with them their attitude to the emperor and to the punishments or rewards which he had to offer. In setting this evidence out it will be easiest to start with those items which involve imperial slaves and freedmen, and move on to friends of Caesar (*amici Caesaris*), senators and equestrians, and finally provincials. It is of course necessary to remember the advantages and disadvantages of Epictetus' viewpoint as the slave of an imperial freedman, and the fact that his own experience of Rome was some fifteen years out of date.⁴⁷

First we have two stories about Epaphroditus as a *libellis*. The first relates how Epaphroditus approached Plautius Lateranus to enquire about some concern of his, and got the reply, "If I want anything I will speak to your master."⁴⁸ The story is only brought in as an example of exceptional courage—and thus illustrates perfectly the power of freedmen in Nero's reign. The second story shows a man clinging in tears to the knees of Epaphroditus and exclaiming that he has only a million and a half sesterces left to his name.⁴⁹ To Epictetus this illustrates the absurd lack of proportion induced by the luxuriousness of Roman life, as compared with the modest manners of Nicopolis. Perhaps, however, the man was a senator who needed Epaphroditus' help in appealing for a subvention from Nero to maintain the necessary census of 1 million or 1.2 million sesterces.⁵⁰

The third story about Epaphroditus seems to come from the period when he was no longer a *libellis*. "Epaphroditus owned a certain cobbler whom he sold off as being no good at his job. Then by some chance the man was bought by one of the members of Caesar's household [*Caesariani*] and became the emperor's cobbler. You should have seen how Epaphroditus paid court to him—"What is the good Felicio doing, I pray you?" And then if anyone asked us, 'What is Epaphroditus doing?' he was told, 'He is in consultation with Felicio.'"⁵¹ The point that the accident of proximity to the emperor might lend a fortuitous importance to the occupants of the most humble posts had been made even more forcibly in the preceding passage. "If only it were only the tyrants and not their *cubicularii* [chamberlains] also [who have to be courted]. How is it that a man can suddenly gain a reputation for sagacity when Caesar puts him in charge of the imperial lavatory? How is it that we at once start saying 'Felicio spoke so wisely to me'? If only the man might be deposed from the lavatory, and seem a fool once more."⁵² This is given as a typical instance, not as a historical anecdote. There seems to be no

other evidence for the post in question (which it is implied would be held by one of the chamberlains).

Then the friends of Caesar—the type of worldly success on which Epictetus pours most scorn. For instance, he represents a man contemplating how he can best ensure his safety (using the image of a traveller fearing attack by robbers). “What shall I do? I shall become a friend of Caesar. While I am his companion no one will injure me. But before I can become that, how much must I suffer and endure, how often must I be robbed by how many! And if I do become his friend, he too is mortal.”⁵³ Similarly he represents a man, the holder of two consulships, protesting that he at least is free—“I am of free birth, a senator, a friend of Caesar, I have been consul and I own many slaves”—but even he can be compelled by Caesar.⁵⁴ Then there is a discussion about what true misfortune is—not to be an friend of Caesar? But Caesar’s friend knows neither security nor freedom. He cannot sleep for people coming one after another to say that Caesar is awake, Caesar is coming out; he has failed, that is, to be present in the early morning to be admitted with the other friends.⁵⁵ If he is not invited to dine by Caesar, he is slighted; if he is, he dines like a slave at his master’s table. What is he afraid of—a whipping? Nothing so ignoble. He is afraid of losing his head.⁵⁶

Comparable with this is what Epictetus says to a prominent Roman called Naso who has come with his son to visit him⁵⁷—“What could anyone imagine you to want. You are rich, you have children, a wife, and many slaves; *Caesar knows you*, you have many friends in Rome, you can perform your duties and return kindness with kindness and injury with injury”—but he lacks the really important things.⁵⁸

Then there were ordinary senators and equestrians, who depended on the emperor for promotion and benefits, or feared his punishment or displeasure. Caesar is men’s master—for men fear not Caesar, but death, exile, confiscation, imprisonment, disenfranchisement; they do not love Caesar—unless (he adds in parenthesis) he is a man of great merit—but they love wealth, a tribunate, a praetorship, a consulate.⁵⁹ The desire for office is an easy target: “For the sake of these mighty and dignified offices and honours you kiss the hands of another man’s slaves—and are thus the slaves of men who are not free themselves.”⁶⁰ Then we get a more general picture of ambition (*ambitus*) and its rewards: “If you wish to be consul you must give up your sleep, run around, kiss men’s hands, rot away at other men’s doors ... send presents to many and daily *xenia* [guest-gifts] to some. And what is

the result? Twelve bundles of rods, sitting three or four times on the tribunal, giving games in the Circus, and distributing meals in little baskets”—*sportulae*, that is.⁶¹ Epictetus’ picture forms an admirable complement to what we know from Pliny, especially *Ep.* VI, 19, about senatorial canvassing.

Elsewhere Epictetus expatiates on the worthlessness of what the emperor has to give, or to refuse. Let the chamberlains bar you access to the emperor; if you do not care about entering, you are not really excluded. A man is given a province or a procuratorship—can he be given the wisdom to exercise it? We then get a comparison of the distribution of provinces, praetorships, and consulships with the custom of scattering figs and nuts for children to fight over.⁶²

These are mere abstract examples. More interesting is Epictetus’ dialogue with, or homily to, Maximus the commissioner (*corrector*).⁶³ First Epictetus demonstrates that Maximus does not really follow his pretended Epicurean principles. If he really consults only his pleasure, he can rob the Greeks as he wishes; he has powerful friends in Rome, and the Greeks are too feeble to accuse him anyway.⁶⁴ Then there is a fragment of dialogue. “What need have you of philosophical doctrines?” “But I am judge over the Greeks.” “Do you know how to judge? What caused you to know that?” “Caesar wrote *codicilli* (a letter of appointment) for me.” “But how did you come to be a judge? Whose hand did you kiss—Symphorus’ or Numenius? [evidently imperial freedmen, whether real or notional is not clear].⁶⁵ Before whose bedroom door did you sleep? To whom did you send presents? After all, do you not see that the office of judge is worth no more than Numenius is?”⁶⁶ One may contrast Pliny’s reference to the same office: “You bring with you the excellent reputation you won during your quaestorship ... you bring the emperor’s recommendation [*testimonium*] and experience as tribune, praetor, and as holder of your present mission [*legatio*], granted as a prize.”⁶⁷

With that we can come to a story related by Epictetus, one of the best and most revealing anecdotes in the work. It concerns a man older than himself, Epictetus says, who had earlier passed through Nicopolis on his way back from exile (the occasion was very probably the return of exiles in 96 after the abolition of the *acta* [official acts] of Domitian). Speaking to Epictetus he had inveighed against his former life and expressed his resolve to pass the rest of his time in peace and quiet. “As soon as you catch a whiff of Rome,” Epictetus had said, “you will forget all this. And if admission [*parodos*] to the

court is granted, in you will rush, rejoicing and thanking God.” The man denied it. But before he even reached Rome, messages (*pinakides*) from the emperor reached him. He forgot his resolution, and gained post after post. He is now, says Epictetus, *praefectus annonae* (the prefect in charge of the supply of corn and other food) in Rome.⁶⁸

It is unfortunately difficult to identify the prefect in office about 108. Sulpicius Similis, later praetorian prefect at the end of Trajan’s reign and under Hadrian, would be suitable, in that he rose from being a mere centurion at some point in Trajan’s reign⁶⁹ to the prefecture of the Annona and then, between March and August 107, to that of Egypt.⁷⁰ The identification is not quite impossible, though Sulpicius’ period at the Annona would be a little too early for comfort—or might the first book, which contains this story, belong in 107, and the third, which has the dialogue with Maximus, in say the winter⁷¹ of 107–8? The difficulty would remain that the man in Epictetus seems to be of higher rank than centurion. Otherwise we know only of Rutilius Lupus who is attested in this post on an inscription datable to between 103 and 111,⁷² before moving to Egypt in 113. But if an identification is difficult, there is a slight compensation in that the following passage portrays the prefect receiving a petition to allow the export of some grain, “I beseech you to allow me to export a small quantity of corn”⁷³—which adds a little to the rather scanty evidence on his functions.

It was one of the striking peculiarities of the Empire as a political system that the personal judgements and actions of the emperor affected not only the members of the governing class in Rome but a wide range of individuals in the provinces (especially in the Greek East, where contacts with Rome and the court were so much closer). Of this too we get evidence in Epictetus.⁷⁴ There is for instance a dialogue—probably, but not certainly, one of those invented as an example by Epictetus, since there is no setting or introduction—between Epictetus and a man on his way to Rome to stand trial before Caesar on a capital charge. Epictetus replies with some rather inadequate comfort: he too risks his life from earthquakes at Nicopolis, the man is equally in danger of his life crossing the Adriatic, banishment is merely not living in Rome, and if he does not wish to go to Gyarus, suicide is possible.⁷⁵

Then we have another dialogue—this time clearly historical—between Epictetus and another man on his way to Rome to appear before the emperor.⁷⁶ The man’s aim was to get himself elected

prostatēs of the Cnossians, that is, patron of the Roman colony of Cnossus—*Colonia Iulia Nobilis Cnossus*—founded by Octavian probably in 36. It happens that we know that such an office really existed, for a Latin inscription from Cnossus shows a man who was a *duovir* there, *flamen* (priest) of Vespasian and also patron of the colony (*patro[nus Coloniae]*).⁷⁷ It emerges from his conversation with Epictetus that the would-be patron was the perfect type of a local magnate under the Empire. He was a rich man, who possessed land and cattle, and gold and silver plate. In his youth he had studied rhetoric, had pleaded cases himself, and had then entered political life and held various offices. Now he wanted this further honour and was sailing to Rome—changing ships at Nicopolis—at his own expense, in winter, to fight the case. Evidently there was some opposition; the circumstances were perhaps not unlike, for instance, the business recorded on a Lycian inscription from the reign of Antoninus Pius: a Lyciarch, Jason, son of Nicostratus, was voted honours by the *koinon* (common council of a league of cities), then accused of something unspecified by one Moles. An ambassador was sent to the emperor to testify to the virtues of Jason; and the emperor wrote back to the *koinon* evidently approving the honours.⁷⁸

That the emperor himself was concerned in the Cnossus case only emerges towards the end of the dialogue, when Epictetus compares the man's anxieties with his own real freedom—"patron or not patron, what do I care? But you care. I am richer than you are; I am not going to worry about what Caesar is going to think of me."⁷⁹

Even outside the considerable range of trifling local matters which a Roman emperor found himself dealing with personally, his existence overshadowed and influenced the forms of local life. Thus it is not irrelevant to mention some illustrations Epictetus gives of life and politics in Nicopolis. All men are slaves in reality, he says—and quotes the customary acclamation of the Nicopolites, "Yea, by the fortune [*tychē*] of Caesar we are free men."⁸⁰ The paradox needs no comment. Then we get a vivid picture of the procurator of Epirus appearing in the theatre at Nicopolis, showing undignified fervour in applauding—supported by a claque of slaves—a comic actor, and being abused by the mob for it. He complains to Epictetus, who replies that if the people see their governor, the "friend" and procurator of Caesar, showing his feelings by shouting and jumping up and down in the theatre, they will do likewise.⁸¹ The scene, and Epictetus' view of it, offers a complement to, and contrast with, that in Saint John, when

the crowd shouts at Pilate, “If you release him, you are no friend of Caesar.”⁸²

As for the procurator of Epirus, the only known holder of the post from this period is Cn. Cornelius Pulcher, who was there sometime between 103 and 114.⁸³ He is an interesting figure, the descendant of a distinguished family at Epidaurus, military tribune of the *legio IV Scythica* in Syria,⁸⁴ *duovir* at Corinth, *agō nothetēs* (president) of three series of games at Corinth, the *Traianeia*, *Isthmia*, and *Caesaraea*, and of the *Sebasteia* and *Asclepeia* at Epidaurus, *archiereus* (high priest) of Greece, and Helladarch for life of the *koinon* of the Achaeans (all before he was procurator of Epirus); later he was *iuridicus* (judicial commissioner) in Egypt and priest of Hadrianos Panhellenios. An identification with the procurator of about 108 is mere speculation. But if the procurator whom Epictetus rebuked had in fact been a prominent *agonothetēs* in Greece over the previous few years, one of the things Epictetus says to him gains an added point and relevance: “Stage as many contests as you will in your own house, and proclaim him victor in the Nemean, Pythian, Isthmian, and Olympic games.”⁸⁵

If that hint of identification is not misleading, Epictetus was not the only pundit to give this man the benefit of his advice. For it was to Cornelius Pulcher that Plutarch addressed his treatise *On Gaining Profit from One’s Enemies*, which begins with a reference to Pulcher’s mild and beneficial political activities—and to the fact that he was an assiduous reader of Plutarch’s *Political Precepts*.⁸⁶

Finally, there is a brief dialogue, which Epictetus reports, between himself and a man who held the priesthood of Augustus at Nicopolis. Epictetus had said, “Drop the business; you will spend a lot of money for nothing.” “But they will write my name on contracts.” “And will you be present to say to those who read them out—‘that is my name they have written?’ And even if you can be present every time now, what about when you are dead?” “My name will live after me.” “Write it on a stone and it will live after you. Who will remember you outside Nicopolis?” “But I shall wear a crown of gold.” “If you want a crown at all, take one of roses and wear it; you will look more elegant in that.”⁸⁷ Like the post of *sevir augustalis* so much valued by Trimalchio,⁸⁸ the man’s priesthood in the passage illustrates perfectly the political functions of emperor worship, in providing for the wealthy classes honorific positions which both gave them prestige and identified them with the regime.

Such is some, by no means all, of the testimony Epictetus can

provide for the social and political life of his time. A number of problems have to be faced if the testimony is to be used as historical evidence. Firstly, can we trust Arrian's statement that the text of the *Dissertations* consists of the words of Epictetus as recorded verbatim by him? Given the possible limits of accuracy in such a procedure, I can see nothing in the *Dissertations* to prove the claim incredible. Secondly, can we trust Epictetus' statements about incidents and historical events occurring up to some forty-five years before the moment of speaking? None of his statements is directly refutable from any other source, and some are confirmed,⁸⁹ and where he adds facts not otherwise known, these fit with what we know from other evidence.

It is a quite different problem to decide how far it would be valid to take over Epictetus' attitudes to, and valuation of, the institutions and customs he mentions. The slave of Epaphroditus exiled under Domitian would not be likely to view the values and aspirations of Roman society with much enthusiasm; and the philosopher on show for culturally minded travellers at Nicopolis had a certain role to play as a critic of the world and its occupations. None the less, actions and events in a bygone society must be seen, in the first instance, in terms of the attitudes to them—all the attested attitudes—expressed by contemporaries. For that reason Epictetus' viewpoint, unique in our sources, makes his testimony all the more valuable—and specifically as a complement to the very different viewpoint of Pliny the Younger.

Moreover, the considerable quantity of factual information Epictetus provides covers a wide range of topics, from the workings of the court to the life of the Greek cities. He should thus take his place as a historical source alongside his two direct contemporaries, Plutarch and Dio of Prusa.

Postscript

This chapter had its origin in the collection of material for a book on the imperial court from Augustus to Constantine, not in the study of Epictetus or of Arrian (neither has received any full modern study, which both richly deserve). To pick out such material, as has been done here, must inevitably give a partial and distorted picture of Epictetus' teaching, which is primarily concerned with conduct in ordinary life, and uses examples from many spheres other than politics. None the less, the political aspect of his teaching could be regarded as subversive, as is made explicit when an (imaginary?)

interlocutor asks “Do you philosophers, then, teach us to despise our kings?”⁹⁰ It may have been partly for this reason that Arrian, as he explains in his introductory letter, did not spontaneously publish his transcripts, and was only provoked into doing so by the circulation, against his will, of unauthorized copies. Also we do not know whether he published them during the period (up to about 140) of his career as a Roman senator, or during the following period when he lived, wrote, and held local magistracies in Athens.⁹¹ All that we know is that the work was in circulation by the early 150s when Aulus Gellius, as a student, heard a passage from it read out in the villa of Herodes Atticus near Athens.⁹²

By this time it was possible to look back on the earlier emperors, especially the Julio-Claudians, as an unfortunate aberration. Marcus Aurelius could talk about tyrants and advise himself not to “Caesarise”;⁹³ Fronto could pour contempt on the acts and the intellectual abilities of the Julio-Claudians in a letter to Lucius Verus.⁹⁴ Some of Epictetus’ attitudes might thus have been acceptable, as referring to a bygone age. But the Dissertations are still unique; no other work read and valued in Roman society dealt so harshly with the values of status and ambition on which that society was based.

Notes

* First published in *JRS* 55 (1965): 141–48. An earlier version of this chapter was read to the Oxford Branch of the Classical Association on 12 November 1964. I should like to thank those present for the helpful discussion which followed, and also Professor Sir Ronald Syme for his advice and assistance, especially on points of prosopography. My quotations of passages in English owe much to the Loeb Epictetus by W. A. Oldfather (1925, 1928).

1. Jacoby, *FGrH* 257, F 36, XIV; F, IV.
2. For the full testimony, see the Teubner ed. H. Schenkl (1894), XIV–XXIII, and *PIR*² E 74.
3. *PIR*² E 69. Dio 67, 14, 4–5, dates the execution to 95.
4. Jos. *AJ* 1, 8. The question of the identification cannot be formally decided. Th. Frankfort, “La date de l’autobiographie de Flavius Josèphe et des oeuvres de Justus de Tibériade,” *Rev. Beige de Phil. et d’Hist.* 39 (1961): 52, esp. 56–57, shows that there are no firm chronological grounds for dismissing the identification.
5. 1, 25, 22. This could have been on any one of a number of

occasions between 60 and 66. See *PIR*² D 39.

6. *PIR*¹ M 380; P-W, s.v. "Mestrius" (3).

7. 1, 2, 12–18.

8. 1, 1, 19. Cf. Tac., *Ann.* 15, 60, 1–2.

9. 1, 1, 26–27.

10. 1, 1, 28–32 = fr. 21 Schenkl. Compare Tac., *Ann.* 16, 33, 3 and see *PIR*¹ P 16.

11. See Cora E. Lutz, "Musonius Rufus, 'The Roman Socrates,'" *Yale Class. Stud.* 10 (1947): 3, esp. 8–9.

12. 3, 15, 14.

13. 1, 7, 32. Cic., *de amicitia* 37 and Plut., *Tib. Grac.* 20, 4, quoted by Souilhé ad loc., do not suffice to prove that "burning the Capitol" was a proverbial expression.

14. 1, 9, 29–30. This could of course date to before the banishment of Musonius in 65.

15. 3, 15, 8; 4, 8, 17–20.

16. 1, 2, 19–21. Note 4, 1, 123, a reference to the condemnation of Helvidius. *PIR*² H 59 notes neither passage.

17. 2, 7, 8.

18. For a discussion of the date, see A. N. Sherwin-White, *JRS* 47 (1957): 126–27.

19. For a discussion of the tradition about Epictetus' works, see vol. I of the Budé text by J. Souilhé (Paris, 1943), XII–XIII.

20. See *PIR*² G 132 and *Corinth* VIII.2, no. 93.

21. *Praef.* "I have not composed these *Words of Epictetus* as one might be said to 'compose' books of this kind, nor have I of my own act published them to the world; indeed, I acknowledge that I have not 'composed' them at all. But whatever I heard him say I used to write down, word for word, as best I could, endeavouring to preserve it as a memorial for my own future use, of his way of thinking and the frankness of his speech."

22. See K. Hartmann, "Arrian und Epiktet," *Neue Jahrbücher* 15 (1905): 248, on 275.

23. See 1, 18, 15 and 29, 21 and Hartmann (n. 22), 259. Cf. n. 69 and the text to it.

24. See I. Bruns, *De Scholae Epicteti* (1897) and, for the form of the Discourses, see Th. Colardeau, *Étude sur Épictète* (1903), 283–84.

25. 4, 5, 17–18. See T. O. Mabbott, “Epictetus and Nero’s Coinage,” *Class. Phil.* 36 (1941): 398.

26. 2, 22, 22.

27. 3, 7. Compare M. N. Tod, “The *Corrector Maximus*,” *Anatolian Studies Presented to W. M. Buckler* (1939), 333, esp. 336–37.

28. See R. Syme, *Tacitus* (1958), 661.

29. *PIR*² F 219.

30. Suggested by Syme (n. 28), *App.* 18, and fully documented by J. Morris, “Leges Annales under the Principate,” *Listy Filologické* 87 (1964): 316.

31. 2, 16, 30–31.

32. 1, 19, 6. See K. Latte, *Römische Religionsgeschichte* (1960), 52.

33. 1, 11, 27. See also 1, 29, 37—gladiators owned by Caesar begging to fight.

34. 1, 25, 8; 29, 31; 4, 1, 58.

35. 2, 1, 26–27. On the *vicesima libertatis*, see also 4, 1, 33.

36. 3, 3, 15 and 17.

37. 1, 19, 24.

38. 1, 25, 15.

39. Fr. 15 Schenkl.

40. 3, 8, 7. It is not quite impossible (but not particularly probable) that this was the poet, Silius Italicus. See Schanz-Hosius II⁴ (1935), 526–27.

41. 2, 12, 17–25.

42. 3, 23, 27: “I have told you, brother, how I climbed up to the crest of the hill; well now, I begin to be besieged again.”

43. 4, 13, 5.

44. 4, 1, 17. See Pliny, *Pan.* 24, 2 comparing Domitian and Trajan on this point.

45. 1, 3, 2.

46. *HA, Had.* 3, 10. See *FIRA*² A 184. But cf. Syme (n. 28), 232–34.

47. For a good analysis of the extent to which Epictetus’ teaching reflects his experience of Rome under Domitian, see C. G. Starr, “Epictetus and the Tyrant,” *Class. Phil.* 44 (1949): 20, which I ought to have known before writing this article, but did not.

48. 1, 1, 20. For the justifiable emendation of the text to make

Lateranus the author of this remark, see the Budé edition.

49. 1, 26, 11–12.

50. Dio 54, 26, 3 gives 1 million, Suet., *Div. Aug.* 41, 1.2 million. For subventions by Nero, Suet., *Nero* 10; Tac., *Ann.* 13, 34, 2–3, cf. 15, 53, 2.

51. 1, 19, 19–21. An imperial *sutor* (cobbler) is attested on *ILS* 1787 (A.D. 13).

52. 1, 19, 17–18. On the power of members of the imperial *familia*, note also 4, 13, 22.

53. 4, 1, 95.

54. 4, 1, 6–13.

55. Cf. Suet., *Div. Vesp.* 21; Pliny, *Ep.* 3; 5, 9.

56. 4, 1, 45–48.

57. Almost certainly not the young Iulius Naso, whose candidature for *honores* (public office) had been supported a couple of years earlier by Pliny, *Ep.* 6, 6. But he might be the proconsul of Africa about 107, C. Cornelius Rarus Sextius Na[so?], possibly the same as a suffect consul of 93. See Syme (n. 28), 638, 805. Epictetus' words would suit a man of that status.

58. 2, 14, 18.

59. 4, 1, 60.

60. 4, 1, 148.

61. 4, 10, 20–21. On senatorial ambition, cf. 1, 25, 26–27; 4, 1, 55 and 173.

62. 4, 7, 19–24. There are references to the terrors of audience with Caesar in 1, 30, 7 and 4, 7, 1.

63. 3, 7. The view of Hartmann (n. 22), 261, that the dialogue is a fiction narrated by Epictetus and relating to an incident some years back, involves believing that Arrian's introduction to it is straightforwardly false. There is no basis for such a belief.

64. 3, 7, 13.

65. Though *ILS* 1684 reveals a freedman of Trajan, M. Ulpius Symphorus.

66. 3, 7, 29–31.

67. *Ep.* 8, 24, 8.

68. 1, 10, 2–6.

69. Dio 69, 19, 1.

70. P-W, s.v. “Sulpicius” (104). See A. Stein, *Die Praefekten von Ägypten* (1950), 53–55.

71. Note in 3, 7, 3 (Maximus) “during the winter,” and 3, 9, 3 (the man from Cnossus—see below) “after the winter.”

72. *AE* 1940, 38. See Stein (n. 70), 55–58.

73. 1, 10, 10. The previous sentence perhaps also refers to the prefects of the Annona—“For what else do they do but all day long cast up accounts, dispute, consult about a bit of grain, a bit of land ...”

74. Note, for instance, 2, 13, 11 which lists among unworthy causes of anxiety “about what Caesar will think.”

75. 2, 6, 20–23. On trial and condemnation by Caesar, see also 2, 19, 17–18 and 3, 8, 2. Banishment to Gyarus is a recurrent theme: 1, 25, 19–20; 3, 24, 100; 4, 4, 34.

76. 3, 9.

77. *AE* 1908, 215 = *Inscr. Cret.* I, VIII, 54.

78. *IGR* III, 704, Col. III.

79. 3, 9, 18.

80. 4, 1, 14.

81. 3, 4.

82. *Jn.* 19, 72.

83. *PIR*² C 1424. See H. G. Pflaum, *Carrières procuratoriennes* (1960–61), no. 81.

84. Perhaps as a sinecure: see *JRS* 53 (1963): 196–97.

85. 3, 4, 11.

86. *Mor.* 86 B–D.

87. 1, 19, 26–29.

88. Petronius, *Sat.* 30, 71.

89. One might note especially his statement in 3, 3, 3 that it is forbidden to reject imperial coins, which is confirmed by Paulus, *Sent.* 5, 25, 1.

90. 1, 29, 9.

91. See *PIR*² F 219.

92. Aulus Gellius, *NA* 1, 2, 6–13. The date can be roughly calculated from the fact that Gellius, now “apud magistros” (1, 2, 1), had been an *adulescens* attending *grammatici* (grammarians) in Rome in the urban prefecture of Erucius Clarus (7, 6, 12; 13, 18, 2–3), who died in office in 146 (*PIR*² E 96).

93. *Meditations* 6, 30.

94. *Ad Verum* 2 (Naber 123; Van Den Hout 117).

CHAPTER SEVEN

Condemnation to Hard Labour in the Roman Empire, from the Julio-Claudians to Constantine



Introduction

In A.D. 258 a group of Numidian bishops, condemned to the mines of their province, wrote as follows to Cyprian, bishop of Carthage, at that moment in exile:¹

Therefore they who were condemned with us give you before God the greatest thanks, beloved Cyprian, that in your letter you have refreshed their suffering breasts; have healed their limbs wounded with rods [*fustes*]; have loosened their feet bound with fetters; have smoothed the hair of their half-shorn head; have illuminated the darkness of the dungeon; have brought down the mountains of the mine to a smooth surface; have even placed fragrant flowers to their nostrils and have shut out the foul odour of the smoke.

Even our scattered and inadequate evidence is enough to make it clear that from the second century onwards condemnation to hard labour in mines or quarries was a familiar fate for Christians.² Tertullian, who might well count not only as the finest writer of rhetorical Latin from the imperial period,³ but as the most acute and observant satirist of imperial society and government, had already deployed the theme of the savage punishments now in use to satirise pagan worship and its objects—pieces of stone or metal extracted from the ground and fashioned by human hands (*Apol.* 12, 3–5):

You place Christians on crosses and stakes. What statue is not first shaped by clay moulded on a cross or stake? It is on a gibbet that the bodies of your gods are first dedicated. You tear with hooks at the sides of Christians. But all the parts of your gods are even more vigorously worked with axes, planes, and rasps. We place our heads on the block; your gods are without heads until lead and glue and wedges are applied. We are driven to face the beasts—those indeed which you place beside Liber, Cybele, and Caelestis. We are burned with fire; so too are they, as they leave the crude ore. We are condemned to the *metalla* [mines or quarries]; these are the origins of your gods. We are relegated to islands; by custom your gods are born

and die on some island.

Later Tertullian returns to the theme of the mines (*Apol.* 29, 2–3):

For [if the gods had the powers attributed to them] they would first defend their own statues and images and temples, which in fact, I rather think, the soldiers of the Caesars stand on watch to protect. Moreover, as I believe, the very materials of which they are made come from the *metalla* of the Caesars, and all the temples depend on Caesar's nod.

These passages presuppose and reflect a number of profound developments in the nature of the state and its relation to its subjects which took place in the imperial period. Firstly comes the regular application to free people, or at least to those of low social status, of savage means of physical punishment designed to produce a painful and lingering death. Some, perhaps all, of these punishments were regularly carried out in public, as an aspect of shows for popular amusement. Secondly, there is the appearance of forms of exile which involved not merely exclusion from an area, as in the Republic, but direction to a particular place. This was true in some cases of the milder form of exile, *relegatio*, and invariably of the more severe form, *deportatio*. In the developed system *deportatio* was the harshest penalty applicable to upper-class persons, except for particularly offensive or dangerous crimes, such as parricide, treason, and later arson. With these exceptions, there did not develop any clear relationship between type of crime and form of penalty. Social status, not the specific crime, became the determining factor. In these two forms of exile, defined in the course of the first century A.D., there thus evolved, for convicts of high status, something resembling a custodial penalty, a feature unknown to the Republic. Thirdly, we find quite different forms of custodial penalty, which applied (in principle) only to slaves and lower-class persons; it is these, which involved hard labour, which form the subject of this chapter.

This last development gives rise to major questions which involve the nature of state and society. Does the use of convicts for hard labour imply the pursuit of strictly economic objectives by the emperors, or some emperors? Does it, as has been suggested, reflect the relative decrease in the inflow of slaves after the cessation of major wars of conquest? On this view the use of convicts, who were reduced, as we shall see, to slave status, will have been an attempt to find a partial substitute for slave labour.⁴ The question is given added significance by the claim made by G. E. M. de Ste. Croix in *The Class*

Struggle in the Ancient Greek World (1982) that it was precisely the enforced partial shift from the exploitation of slaves to the exploitation of the free poor which produced the more savage penalties applied in the imperial period to lower-class convicts.

There are also other problems, which equally relate to the nature of the imperial state. What forms of establishment for the temporary, long-term, or permanent retention of prisoners or convicts existed? In returning, a little later in the *Apology* (44, 3), to criminals and their treatment, Tertullian mentions the institution of the prison (*carcer*) as well as the mines: "It is with your people [pagans] that the prison is packed, with yours that the *metalla* groan, with yours that the beasts are fattened, with yours that those giving shows can maintain their gangs of convicts [*noxiorum greges*]." As we shall see, while the *carcer* was employed for the retention of prisoners awaiting trial or punishment, any tendency for it to be used as a place of sentence was always resisted. At no stage was the concept of a prison sentence, for a term or for life, ever adopted. But if that is clear, more important questions arise concerning the status and management of the *carceres* which existed in the provinces. Are we to imagine a chain of institutions set up by the Roman state as such, and staffed by its employees—and, if so, by civilian employees or by soldiers? It will be suggested that while there is some evidence for such a development, the basic pattern was quite different, namely the dependence of Roman officials on the prisons which were owned and run by provincial cities. The same, it will be suggested, is true of one category of hard-labour penalty whose character has often been misunderstood, that is to say, *opus publicum* (public labour).

Whether or not these suggestions will prove acceptable, it can at least be claimed both that no system of punishment can be understood except in the framework of the relevant state and society, and that we can afford to make no presumptions about the types of establishment in which punishment might be inflicted. In the Roman Empire city prisons might be the only ones available for locking up prisoners before trial or execution; and "public" works in cities certainly provided one form of long-term sentence. Furthermore, convicts sentenced to death by Roman governors were available for use by city magistrates putting on gladiatorial or wild beast shows. Here too, therefore, the city was in a position to provide the machinery which the state as such lacked.

What other contexts were possible for hard-labour sentences? It is

certain that *slaves* could be punished by being sent to work in private mills or bakeries. Is it therefore possible that free convicts were treated similarly? If so, the question arises as to what range of economic functions might gain a labour supply by this means. The more extensive the range of such functions, and the scale of convict labour, the more relevant this pattern would be to the apparent diminution in the supply of slaves.

It is certainly implied by Tertullian that it was common, and perhaps even typical, for mines or quarries to be in imperial possession, and to be worked, at least in part, by convicts. Various questions therefore arise. Was it a precondition of the growth of convict labour that there should have been imperially owned establishments in which the convicts could work? Was convict labour employed in any and all types of imperial property (e.g., agricultural properties or manufacturing establishments), or only in mines and quarries? If the latter, were the reasons for such a deployment of the labour which was thus available in any sense economic, or of a quite different character? If economic, is this perhaps to be taken in the restricted sense, which Tertullian might be taken to imply in *Apol.* 12 and 29, of ensuring the direct supply of valuable metals and marble for public works or cult statues?

However, even if imperial mines or quarries were the normal places of work for convict labour, there remains the question of the organisation and supervision of that labour. On the one hand it is quite certain that it was common (at least) for imperial properties of all types to be leased out to private tenants or contractors. That being so, it is in principle possible that convicts were put to work for such contractors and were therefore, in the first instance, subject to private exploitation. Whether such a system operated or not, it is on the other hand also certain that soldiers were employed in guarding some mines and quarries. It is an important feature of the imperial system that the army constituted the only source of manpower, in the employment of the state, which could be deployed for police functions or for low-level administrative ones. In his references to prisons and to soldiers guarding temples, as well as his allusion elsewhere (*Apol.* 2, 8) to the role of the military post (*militaris statio*) in repressing brigandage, Tertullian touches also on the equally large and difficult question of the maintenance of public order in the provinces. The evidence may well suggest, though certainly cannot prove, a steady extension of the police functions of the Roman army during the imperial period, with a

consequent dilution of the military manpower grouped in units and available for strategic and tactical use against external enemies.⁵ The potential relevance of that to the history of the third and fourth centuries need hardly be stressed.

In this area, as in other aspects of the interconnected web of themes outlined above, our evidence hardly allows us to write an actual history showing how institutions evolved. If nothing else, the concentration of our legal evidence in the late second and early third centuries produces a distortion which can never fully be overcome. None the less, these legal sources themselves do at least permit an insight into attitudes and presumptions which illuminate not only economic, administrative, and penal history, but conceptions of social class and of the treatment of the human body. Since it is precisely the latter which is of crucial importance, it is necessary to begin with liability to flogging and cruel punishments before moving on to imprisonment and hard labour.

Beating and Cruel Forms of Execution

The rapid extension of the range of criminal punishments in use, which characterises the imperial period, has been discussed many times; so has the reservation of the more cruel and humiliating penalties for lower-class convicts, which was already an established principle at least by Hadrian's reign.⁶ To place hard labour penalties in their correct context, it is only necessary therefore to recall the main features of the nexus of presumptions which associated lower social class with liability to beatings, to cruel forms of execution, and to hard labour in various forms.

As is well known, the social dividing line which determined liability to, or exemption from, these punishments lay just below the status of *decurio* (town councillor) or veteran. However variable and tangential the numerous allusions to this principle from the second century and onwards may be, we can be confident that a general principle of this character was generally accepted. The presumption of the incompatibility between decurial status, implying qualification for local offices, and exposure to flogging is neatly illustrated in Callistratus' discussion of whether it was acceptable for traders, liable to flogging by the local magistrates, to attain the decurionate or city *honores* (magistracies); it was in fact allowable, he says, but *inhonestum* (degrading), and only acceptable if made absolutely necessary by a lack of *honesti uiri* (men of standing) with adequate

wealth (Dig. 50, 2, 12). Exemption could itself be described as an *honor*: according to Arrius Menander veterans and their sons have the same *honor* as *decuriones*, namely exemption from condemnation to *metallum*, to *opus publicum* (see below), to the beasts, or to being beaten with rods (*fustes*) (Dig. 49, 18, 3). The sons of *decuriones* were similarly protected, and Ulpian concludes that this exemption from beating and condemnation to *metallum* applied even to a son born to a father who had then been a *plebeius* (a person of below town councillor rank), but who subsequently gained the *honor decurionis* (status of a decurion). An equally complex case law applied if a father lost his decurial rank by being removed from the *ordo* (membership of the town council) or relegated (Dig. 50, 2, 2). Given the close connection between social rank and immunity from degrading and painful intrusions on the body, the question naturally arose as to whether if a beating had been administered, even improperly, rank was lost with it. So, for instance, Gordian III replied in 238 to a man named Iovinus: “Your uncle need fear no disgrace to his standing [*existimationis infamiam*] on the grounds of his having been beaten with rods, if this had not been preceded by a sentence imposing the stain of *ignominia* [disgrace]” (*App. Leg. Rom. Wis.* 1, 1).

The association of condemnation to hard labour with violent intrusion on the body extended to tattooing, normally performed on the face, but after Constantine’s proclamation of 315/16 on other parts of the body (*CTh* 9, 40, 2 = *CJ* 9, 47, 17):

If anyone has been condemned to a gladiatorial school or a *metallum* in accordance with the seriousness of the crimes in which he has been detected, let there on no account be marking on his face, since the penalty of his condemnation can be fulfilled merely by marking on the hands and calves, so that the face, which is formed in imitation of the divine beauty, may in no way be disfigured.

To use marking (almost certainly tattooing—*scribitio*—rather than branding) as the sign or accompaniment of criminal penalties was, of course, to apply to freemen treatment originally reserved for slaves. We may note the incident in Petronius, *Sat.* 103–4, in which Encolpius and Gitus, to disguise themselves as fugitive slaves, have their heads shaved (or half-shaved?—105, 2) and their faces marked with ink.⁷ This parallelism, as is generally accepted, runs through the evolution of harsher penalties under the Empire and is one of its primary features. Indeed, Macer so far assumed the parallel as to invert it, writing that slaves were punished in the same manner as *humiliores*

(lower-class persons)—except that, for the same offence, a free man would be beaten with rods (*fustes*) and a slave with whips (*flagella*) and returned to his master (*Dig.* 48, 19, 10, *pr.*; see further below). This distinction none the less left the free man of low status much closer to the slave than to an upper-class free man. Both the (marginal) distinction in the type of beating and the much more fundamental distinction over liability or otherwise to hard labour are visible for instance in the reply of Antoninus Pius to a provincial governor about the despoiling of a shipwreck (*Dig.* 47, 9, 4, 1):

If it appears that booty of a more significant sort has been sought by force, you will relegate free men for three years, or, if they are of humbler rank [*sordidiores*], you will have them beaten with *fustes* and put to *opus publicum* for the same period; as for slaves, you will have them beaten with whips and condemn them to *metallum*.

There was, however, something more than a parallelism in the treatment of free men of low status and slaves, for those condemned to the various forms of hard labour included not merely free men suffering a penalty which gave them the effective status of slaves, but actual slaves enduring a further punishment for disobedience or crime. Thus, in the passage quoted above, Macer continues (48, 19, 10 *pr.*):

And for those offences for which a free man is beaten with rods and put to *opus publicum*, a slave is ordered to be beaten with whips and returned to his master under the penalty of being in shackles [*vincula*] for the same period. If, when it is ordered that he should be returned to his master under penalty of *vincula*, he is not accepted, it is ordered that he should be sold and, if no buyer is found, that he should be given over to *opus publicum*, and moreover in perpetuity.

Thus by different routes both free men of low status and slaves might finish up condemned to *opus publicum*, whose nature will be discussed later, as they might also to *metallum*. Slaves might also be returned to their master on the strict condition of being kept in shackles. That penalty too came on occasion to be extended to free men and was quite distinct from temporary retention in prison—*carcer* or *custodia* (discussed in the next section). The master had of course always had the power to shackle his slave if he so wished, or to put him to work in particularly laborious or degrading conditions, or both. Such steps are perhaps to be understood as the background to the famous description in Apuleius' *Metamorphoses* of men working in a mill:⁸

Their skins were seamed all over with the marks of old floggings, as you could easily see through the holes in their ragged shirts that

shaded rather than covered their scarred backs; but some wore only loin-cloths. They had letters branded [or rather tattooed—*frontes litterati*—see above] on their foreheads, and half-shaved heads and irons on their legs. Their complexions were frightfully yellow, their eyelids caked with the smoke of the baking ovens, their eyes so bleary and inflamed that they could hardly see out of them and they were powdered like athletes in the arena, but with dirty flour, not dust.

The men must be intended to be understood by the reader as being of slave status. But the half-shaven heads and the shackles recall the Christian convicts of the 250s in the *metalla* of Numidia, and the tattooed foreheads the custom which Constantine abolished (or rather altered), while the marks of beatings on the back indicate convicts and slaves equally. Are these men slaves enduring punishment by their own master, or slaves sent by their master to a mill owned by someone else, or consigned there by public authority (see below)? Or might public authority have already come to deploy convicts of free status as a labour force for such private establishments? The question may be postponed for a moment while we look at the (relatively unimportant) use of prison and shackles in the detention of free men. But this passage, apart from its value as one of the most vivid presentations from antiquity of what the extraction of value from the poor really meant, is highly significant precisely because we *cannot* be quite sure whether the victims are slaves, or slaves sent for punishment, or convicts.

Carcer or Custodia, and Vincula

In 59 B.C. Cicero wrote to his brother Quintus, then proconsul of Asia, mentioning among other things an escaped slave who had been apprehended in Ephesus: “a certain Plato of Sardes ... arrested the man and handed him over to *custodia* in Ephesus, but whether to public custody or to a *pistrinum*, I have not been able to determine adequately from his letter.”⁹ The letter illustrates perfectly the use of a mill or bakery as a place of detention and punishment for slaves (see below). The alternative was *publica custodia*, the public prison of the city. The evidence on city prisons in the areas under Roman rule has never been fully collected;¹⁰ but Vitruvius, for instance, regards a treasury (*aerarium*), *carcer*, and *curia* (council house) as the standard public buildings which ought to be placed next to the forum of a *municipium* (5, 2, 1). Anecdotal evidence reveals for example the prison (*phylakē*) in the *colonia* of Philippi where Paul and Silas passed

a somewhat disturbed night after being beaten on the orders of the *duoviri* (Acts 16, 22–40). Similarly the martyr acts illustrate the presence of city prisons at Lugdunum and Smyrna; the prisons are under the control of the city magistrates and, as at Philippi, staffed by city employees. They function as places where Christians are locked up to await trial before the governor.¹¹ In Apuleius' *Metamorphoses* we find city magistrates, acting independently, having a slave who is suspected of a crime placed in the *publica custodia* (public prison) before enduring trial by torture the next day (7, 2, 2). Prisons, however, represent a prime instance of the interdependence of city institutions and of provincial government. Also in the *Metamorphoses*, a woman condemned in Corinth by the governor, who is resident there, is kept in the *publicus carcer* until a soldier comes to collect her for execution in a public show (10, 28; 34). By contrast with the martyr acts set in Lugdunum and Smyrna, the governor here makes spontaneous use of the city prison; similarly, martyr acts set in the third century show soldiers carrying out arrests and placing the victims in a prison (*carcer*) before trial.¹² In Carthage, indeed, where (quite exceptionally) an urban cohort was stationed, the Acts of Perpetua and Felicitas reveal that in the early third century there were two prisons, a city one, where the martyrs are first placed (3, 5–9; 6, 7), and a camp prison (*carcer castrensis*), under an *optio, praepositus carceris* (an *optio* in charge of the prison), to which they were transferred with a view to being put before the beasts in a camp show, *castrense munus* (7, 9–9, 1). But even the city prison was subject to abuses by soldiers (3, 6).

It is not impossible that with the passage of time soldiers came to be used not only to collect condemned persons from prison, or to arrest suspects and bring them to city prisons, but to run the city prisons themselves. It is indeed exactly this possibility which Trajan firmly resisted, when Pliny wrote from Bithynia to ask approval for the step (which he had indeed provisionally taken) of adding some soldiers to the “public slaves of the *civitates* [cities]” who had up to then managed the *custodiae*. Trajan was eager both that military discipline should not be corrupted and that too many men should not be withdrawn from their units (Pliny, *Ep.* 10, 19–20). It may well be that both of these developments did come about later. But since there were strictly military *custodiae* as well as (in principle) city ones, the chances of our being able to trace developments in this area seem as yet slight. A new inscription from Bostra, for instance, is a dedication set up by the “*officiales* of the prisoners” under Gordian III to the

praepositus of the *custodiae* (cells), a centurion of the *legio III Cyrenaica*.¹³ A military prison proper, or a city prison run by soldiers? By contrast, legal sources of the second and early third centuries appear to regard *carcer* as an *alternative* to handing over to the soldiers, as a way of detaining defendants (*Dig.* 48, 3); but certainly the frequent references in the same chapter to the *custodia* exercised by soldiers do not seem to refer only or specifically to defendants from within the army.

There may well be a significant evolution here, but the ambiguity of the scattered evidence makes it impossible to prove. What is clear, however, is that the *principle* was maintained that prisons were not intended for long-term sentences but only as places of short-term detention for defendants, or persons awaiting execution. It is, however, obvious, from the very passage which provides the clearest expression of this principle, that it was not always observed in practice: "Governors are in the habit of condemning men to be detained in prison or kept in *vincula* [shackles]; but it is not right for them to do so. For penalties of this type are forbidden. Prison ought to be regarded as being for the detention of men, not for their punishment" (*Dig.* 48, 19, 8, 9, Ulpian). Even such temporary detention normally involved the defendant or convict being chained, and hence was regarded as inflicting *infamia* (disgrace). Severus and Caracalla had to reassure a man that if he had been thrown into prison *per iniuriam* (unjustifiably), without a sentence carrying *infamia* having been passed, he need not fear that his *existimatio* (reputation) had been damaged (*App. Leg. Rom. Wis.* 1, 2). The severity of the conditions can be judged from Constantine's well-known instructions on the production of prisoners awaiting trial:¹⁴

Meanwhile the man who has been produced in court shall not be put in manacles made of iron that cleave to the bones, but in looser chains, so that there may be no torture and yet the custody may remain secure. When incarcerated he must not suffer the darkness of an inner prison, but he must be kept in good health by the enjoyment of light, and when night doubles the necessity for his guard, he shall be taken back into the vestibules of the prisons and into healthful places. When day returns, at early sunrise, he shall forthwith be led out into the common light of day that he may not perish from the torments of prison, a fate which is considered pitiable for the innocent but not severe enough for the guilty.

Constantine's words imply both that a more positive punishment than

mere imprisonment was thought appropriate for convicts, and (once again) that there was no accepted concept of a prolonged prison sentence with any purpose, whether retributive, economic, or reformative. None the less, when Galerius' edict of toleration was issued in 311, Donatus, the addressee of Lactantius' *De Mortibus Persecutorum*, had been in a *carcer* for six years (35, 1–2; cf. Eus., *HE* 9, 1, 7).

Theory and practice might also diverge in the matter of the penalty of *vincula*. Given that, as mentioned above, persons in prison were also normally shackled (unless bribes were used to avoid this, *Dig.* 48, 3, 8), many references to *vincula*, or *vincula publica*, are simply to imprisonment. But it is clear that *vincula* could in practice function as an alternative to prison; this is clearly implied, for instance by Ulpian, cited above (*Dig.* 48, 19, 8, 9). Being an alternative to prison, it was in principle a temporary measure of detention, applied to free defendants (*Dig.* 48, 3, 3). As a *penalty*, being kept in *vincula*, for either a specified period or in perpetuity, was appropriate only for slaves (text to n. 8 above). It appears for instance in the *Lex Metalli Vipascensis*: a slave guilty of stealing from the mine is to be sold outside the bounds of the mining area, and on condition that he should be in *perpetua vincula* (in chains for life)—that is, while in private possession (*FIRA*² I, no. 104, ll. 25–30). None the less, here too the treatment of slaves might influence that of free convicts. The imperial *mandata* (instructions) forbade any (free) person from being kept in *perpetua vincula* (*Dig.* 48, 19, 35). Caracalla, however, wrote in 214: “What you allege is incredible, namely that a free man has been condemned to be kept in chains in perpetuity; for this procedure can scarcely be followed even as regards (a person of) servile status” (*CJ* 9, 47, 6). We cannot tell whether it was common in practice for this regular slave penalty to be applied to free men. But even temporary application of *vincula*, like being thrown into prison (above), will have been regarded as damaging to status. This is perfectly clear from Ulpian's inclusion of persons in chains among the categories who could claim restitution because they were not in a position to appear in a case. His words also illustrate once again the variety of agencies who might keep a man under arrest: “Those are in the same category who are being kept under arrest by soldiers and *statores* [military grooms] or by municipal servants, if it is proved that they could not have appeared for their case. For we have defined those as being *in vinculis* who are bound in such a way that they cannot appear in public without indignity [*sine dedecore*]” (*Dig.* 4, 6, 10).

The Nature of *Opus Publicum*

Imprisonment therefore was not (in principle) a recognised long-term penalty, whatever might happen to individuals, sometimes even before resolution of their case, like Paul, who was kept for two years in the “*praetorium* [governor’s residence] of Herod” in Caesarea (Acts 23, 35; 24, 27), or the people about whom the *koinon* (common council of a league of cities) of Bithynia complained to Severus Alexander, who were prevented from pursuing appeals by military guards under the orders of procurators or governors.¹⁵ *Opus publicum*, however, clearly was a regular custodial penalty, frequently referred to in legal sources. Its nature and context—that is to say, the administrative and social context in which the labour of the convicts was to be performed—has not always been clearly understood. We could imagine that the reference is to public works in Rome, or works such as temples or walls, provided for a city by the emperor and paid for by him, or works carried out under the orders of a governor, for which labour and expertise might be provided, at least in part, by the army.¹⁶ We might well expect, alternatively, that convict labour would have been used for the repair of dykes in Egypt, or for the building and repair of roads (*munitiones viarum*) throughout the Empire. In fact, however, as is well known, labour for the dykes was provided by the corvée system, and we have only two isolated items of evidence (see below) for condemnation to *munitiones viarum*. Similarly, construction and repair of the public works, temples, and aqueducts of Rome itself was carried out either by direct labour, the imperial and public *familiae* (gangs of slaves) for the aqueducts, or by contract. Though private contractors *might* have had the use of slave convict labour, there is nothing to suggest that those in Rome did.¹⁷ For the use of convict labour in major “imperial” works outside Rome there appear to be at the most two items of evidence, both associated with projects begun, but not completed, by Nero. Josephus describes Vespasian in 67 as sending 6,000 Jewish captives (who were not, strictly speaking, convicts) to Nero at the Isthmus, *presumably* for labour there (*BJ* 3, 540); and Suetonius (*Nero* 31) reports that for his canal projects between Misenum and Ostia, Nero “ordered that whoever was in *custodia* [awaiting trial or execution?] anywhere should be deported to Italy, and that those convicted of a crime should not be condemned except *ad opus*.” There is no evidence as to whether this order was ever carried out.

There is, therefore, little or nothing to support the idea, entirely

plausible in itself, that those subjected to the regular penalty of *opus publicum* were systematically employed on the “public work” of the Roman state. Lack of such evidence cannot of course disprove such a possibility. But it does make it reasonable to enquire whether there was not some different context to which the term *opus publicum* might have applied. Two general considerations suggest that the reference is to the “public work” of the provincial (or Italian) cities. Firstly, there is the well-known semantic shift by which in the general vocabulary of the imperial period “publicus” tends to be applied to things associated with the cities, rather than with the “res publica” of Rome. Ulpian indeed protested, in vain: “Things belonging to a *civitas* are improperly called ‘public,’ for only those things are ‘public’ which belong to the *populus Romanus*” (*Dig.* 50, 16, 15). But it was already well established that even the term *res publica* itself commonly meant simply “a city,” of any status.¹⁸ Secondly, to support the possibility that “public work” could mean hard labour in the service of a city, even though the condemnation had been pronounced by a provincial governor, there is the fact that such condemnations by governors frequently led to convicts appearing in the arena, either as gladiators or as passive victims for the beasts, in shows put on by city magistrates or high priests of provincial councils. Condemned criminals could, of course, be used in the shows put on by magistrates or by the emperor in Rome itself. This seems to be first attested in 65 B.C., and continued under the Empire.¹⁹ Criminals might also be sent to Rome from the provinces to die in the arena. Strabo saw a famous bandit who had been sent from Sicily to be killed by beasts in a show in Rome (*Geog.* 273); and, for instance, Bishop Ignatius of Antioch, on his way under guard to Rome in the reign of Trajan, was happily anticipating being “ground by the teeth of beasts” (*Ep. Rom.* 4, 1–2). In the early third century Herennius Modestinus wrote: “A governor ought not to release *damnati ad bestias* [persons condemned to be thrown to the beasts] as a favour to the people. But if they are of such strength or skill that they can worthily be exhibited to the Roman *populus*, he ought to consult the emperor” (*Dig.* 48, 19, 31).

In these cases therefore the Roman state not only, in the person of the governor, passed sentence but also provided the organisation and context for execution. However, the implication which might be drawn from Modestinus’ words, that governors themselves might also give shows in the provinces, at which criminals condemned by them might meet their deaths, is misleading. Governors might well be *present* at such shows, but all our evidence indicates that the persons

giving them would normally be city magistrates or provincial high priests. Thus in the *Acts* of Polycarp (12) the proconsul tries the bishop in the stadium at Smyrna, but it would have been the Asiarch, Philippus, who produced beasts, if the permitted days for *venationes* (animal hunts) had not already been past. Similarly, in the *Golden Ass*, a woman condemned in Corinth by the proconsul of Achaëa (see above) is due to die in a show put on by a *duovir quinquennalis* (colonial censor) of the city.²⁰ As happens in this case, and whether the governor was present or not, local office-holders could acquire condemned persons for use in the shows they put on, possibly buying them from the imperial *fiscus* (treasury).²¹

It is not necessary to enter into the complex details of the different handling of those condemned “to the beasts” or *in ludum* (to be trained as gladiators). The essential point is simply that just as the Roman state, except in the army camps, possessed no prisons for short-term detention, it also had no social or ceremonial framework of its own, outside the city of Rome, for executions which were felt to require some means more impressive than the sword or the cross. This function, too, therefore devolved on the institutions of the cities or provincial councils.

This fact, therefore, may also support the possibility that “public work” took place in the same context. But Pliny’s correspondence with Trajan provides a more direct connection (10, 31–32). Pliny reports that in many *civitates*, especially Nicomedia and Nicaea, persons who had been condemned *in opus*, or *in ludum* or to similar sorts of penalty, were acting as public slaves (of these cities) and were even receiving pay. Pliny thought it too severe to return them to their *poenae* (penalties), and not quite decent (*satis honestum*) to retain them in public service (*in publiciis officiis*)—even ones filled by slaves. It was also not clear how they had evaded the due penalties, though some were alleged to have petitioned proconsuls or their *legati*. Trajan replied that those condemned within the past ten years, and not released on proper authority, should be returned to their *poenae*. Those who were older and had been condemned more than ten years earlier should be distributed “to those *ministeria* [functions] which are not far from a *poena*. For men of that sort are accustomed to be put to [work in] a bath-house, the cleaning out of drains, and also the building of roads and [?] streets [*vicorum*].”

It is clear from this that all the various categories of condemned had remained within the context of the cities, and that some had been

condemned specifically *in opus*. It was presumably this apparently established category to whom Trajan referred at the end of his letter, as persons who normally carried out work, of a punitive kind, on the utilities of the cities.

If this was what the lawyers meant by *opus publicum*, it is immediately evident how and why it differed so profoundly from any form of condemnation to the mines. Firstly, the question of transporting the condemned to distant regions did not arise; they were put to work in their own city. Secondly, although it was a humiliating and degrading penalty, it was less so than *metallum* or *opus metalli* (from which it was totally distinct; see below). Thirdly, it was common to impose it for limited periods. Fourthly, the occasion did not arise for discussing, as with those condemned to the mines, whether they were “slaves of the *fiscus*” or “slaves of the *poena* [penalty].” For, although they too were condemned by provincial governors, they were not at work in “the mines of Caesar,” but in cities.

This penalty seems regularly to have been preceded by flogging with rods (*fustes*) (for free men, see above), and involved heavy and humiliating labour. The *Oneirocritica* of Artemidorus (1, 21) also makes clear that convicts of this category had half of their heads shaved, evidently to aid identification in case of escape: “[W]henever someone [dreams that he] has his head half-bald and is of a bad conscience, he will be condemned to the penalty of public work [*ergon dêmosion*]. For in this instance too this is the mark of the condemned.” As in the case of all other physically degrading penalties, exemption was granted to decurions (*CJ* 9, 47, 3), and to veterans and their sons (47, 5). On the other hand there is no specific indication that those engaged on *opus publicum* had to wear chains.²² And above all the penalty might be imposed for relatively short periods, such as one year (*Coll.* 11, 3, 1 = *Pauli Sent.* 5, 18, 1) or two to three years (preceded by beating with *fustes*), as Hadrian laid down for those lower-class persons who assisted in the moving of boundary stones.²³ The maximum period mentioned for fixed-term condemnation to *opus publicum* is ten years; but condemnation in perpetuity was also possible. So, according to Paulus, nocturnal house-breakers were to be beaten with *fustes* and sent to *metallum*; diurnal ones, after beating with rods (*fustium castigatio*), went to *opus publicum*, either temporary or permanent (*Dig.* 47, 18, 2). Flight during the sentence might lead to doubling of the sentence, or its perpetuation, or transfer to *opus metalli*

(Dig. 48, 19, 8, 7). Though Pliny (above) seems not to have enquired as to whether any of those condemned *in opus* had been serving fixed terms, it seems in general that those enduring *opus publicum* could expect eventual release. So Diocletian and Maximian replied to one Vitalis (CJ 9, 47, 14): “If the day fixed in advance by a sentence laying down a fixed-term penalty of *opus publicum* has not yet passed, it is right for it to be awaited, since it is in the public interest that a penalty should not lightly be remitted, lest anyone rush recklessly into wrongdoing” (a relatively rare reference to the deterrent purpose of penalties).

Opus publicum is formally attested from Pliny’s correspondence with Trajan until the first half of the fourth century, when Firmicus Maternus refers to it (*Math.* 7, 24, 2); and it was among the penalties suffered by Christians in the East under Licinius.²⁴ A single later imperial letter, of uncertain date (383 or 391) and insecure text, seems to refer to *opus publicum*, and at any rate makes the link between social status, beating, and physical labour: those who harbour deserters “will encounter the law in proportion to their rank and person. If indeed he is liable to be subject to physical punishment ... , he will be beaten with *fustes* or [and?] directed to *metallum* [or?] to *opus publicum*” (CTh 7, 18, 8).

The place of *opus publicum* in the scale of habitual punishments is thus fairly clear: in the *Sententiae Pauli* (5, 17, 2) it is classed, along with *vincula* (see above), among the *minimae poenae* (the lightest punishments). Antoninus Pius described the *condicio* (situation) of a person condemned to *opus publicum* as being comparable with that of a *deportatus* (CJ 9, 47, 1). If so, that meant confiscation of property and loss of all rights of testament and inheritance. In other respects the parallel is surely misleading; for *deportatio*, which involved no physical injury or restraint, was the most severe penalty to which (for most crimes) the upper classes could be condemned, while *opus publicum* was reserved for the lower classes.

If we can locate it (more or less) as a legal penalty, the same is barely true of its economic and social aspects. Given the values attached in the imperial period to city life and its physical manifestations, it must have some significance that one of the few attested forms of long-term penalty involved physical labour in the service of urban utilities. To the list of functions mentioned by Pliny nothing can be added except (probably) that of working a treadmill (*antlia*): Artemidorus in the *Oneirocritica* (1, 48) reports one dream

which involved walking without advancing and one of water flowing from a man's feet, both of which turned out to have foretold condemnation to the treadmill. As with most of Artemidorus' cases, it would be reasonable to assume that these incidents reflect the town life of the Greek East in the second century.

No such context can be supplied for Suetonius' two isolated reports, that Tiberius condemned an equestrian *in antliam* (Tib. 51), and that Gaius had many men of honourable rank (senators and equestrians) tattooed (*deformatos ... stigmatum notis*) and sent to the *metalla* (see below) and road building (*munitiones viarum*) or *ad bestias* (Cal. 27). The implication might well be that condemnation to hard labour was already customary in that early period for persons of lower rank. But there is nothing whatever to suggest the social context in which the labour was performed. The allusions in Pliny (Ep. 10, 31–32) and Suetonius appear in any case to provide our only evidence that roads might be built by convict labour.²⁵ To complete our confusion, road building is here linked directly with *metalla* (evidently meaning quarries rather than mines). But in the period for which we have some evidence, *metallum* was a quite distinct penalty from *opus publicum*, far more severe—and perhaps of greater economic significance.

Condemnation to the Mines or Quarries: *Metallum*, *Opus Metalli*, and *Ministerium Metallicorum*

Christian evidence alone would be enough to indicate the significance of *metallum* in the minds of those subjects of the Roman Empire who faced the possibility of condemnation. But neither an institutional nor an economic nor a geographically orientated history of the exploitation of convict labour in the mines and quarries can be written. All that can be done is to pick out some suggestive features of our evidence, which is overwhelmingly legal in character and concerned with the consequences for the property and personal status of the condemned.

There is nothing to suggest that the condemnation of free men to *metallum* was a feature of republican jurisdiction. But Strabo records that the contractors (Roman *publicani*?) who formerly operated the red-sulphide mine at Pimolisene in Pontus had used slaves who had been sold off for evil-doing, and who met a quick death there (Geog. 562). This cannot be brought into any relation with the later evidence; but it may remind us, firstly, that the patterns of exploitation of natural resources within the Empire did not always owe anything to

Rome; secondly, that, as with other hard-labour penalties, condemnation to *metallum* applied to slaves as well as low-status free men; and, thirdly, that use of convicts did not necessarily imply direct exploitation by employees of the state. Equally, the famous description, which Diodorus (3, 12–14) took from Agatharchides, of convicts working the gold mines of southern Egypt in the later second century B.C., also cannot be brought into any relation with Roman use of convict labour in Egyptian mines (see below). But we need not dismiss altogether the possibility that imperial practice was derived from Hellenistic precedents. The “works in Egypt” to which Titus in 70 sent Jewish prisoners were perhaps mines (Josephus, *BJ* 6, 418).

However, it is typical of the poverty of our sources for the structure of the Empire in the first century A.D. that we hear nothing of the institution of condemnation to the *metalla*, apart from Suetonius (above), until we come to two brief allusions in Pliny’s *Letters*. In the trial of Marius Priscus, the former proconsul of Africa, it was alleged that a Roman equestrian had been “beaten with *fustes*, condemned to *metallum*, strangled in a *carcer*” (*Ep.* 2, 11, 8). There is a clear emphasis on the breach of rules about social status, and a clear implication that the penalty of *metallum* was not itself unknown. Then, in a dispute which Pliny heard in Bithynia, there was recited before him the verdict of the proconsul Velius Paulus, by which a philosopher, Flavius Archippus, had been *damnatus in metallum* on being convicted of forgery (10, 58, 3). The allusion carries the same implication about the normality of the penalty; in this case, though we would naturally suppose Archippus to have been of relatively high social status, nothing suggests that his condemnation was seen as unusual. The more significant combined implication of these two items of evidence is that this penalty was in established use in both a Greek- and a Latin-speaking province.

From the next two centuries, when legal evidence provides at least some conception of what *metallum* meant, only certain basic social and economic features need be considered here.

1. Both slaves and free men could be condemned to *metallum* (formally stated by Gordian in *CJ* 9, 47, 11).

2. As we would expect, persons of higher social status were exempt. This principle is not indeed explicitly stated in Hadrian’s well-known reply to the provincial council of Baetica about cattle rustling, which laid down *metallum* for persistent offenders.²⁶ However, rulings of Hadrian on the escape of convicts already presuppose the two

different scales of penalties applied to upper- and lower-class persons, as attested subsequently; in the category of custodial penalties (*in custodiis*) *metallum* was the most severe, and escape from it could only be punished by death.²⁷ The social distinction happens first to be explicitly attested for *metallum* in Antoninus Pius' edict that those who stole from *metalla Caesariana* (imperial mines or quarries) should be punished with exile or *metallum* "in accordance with the rank of the person" (*Dig.* 48, 13, 8, 1). Thereafter, for instance, Ulpian states that decurions (and their families) cannot be condemned to *metallum* or *opus metalli* (see below), nor to the *furca* (gallows) or being burnt alive (48, 19, 9, 11–15). Mistakes did occur, of course. Thus Severus Alexander replied to a man named Demetrianus: "If it is proved that your mother was the daughter of a decurion, it will be evident that she should not have been condemned to *ministerium metallicorum* [see below] nor to *opus metalli*" (*CJ* 9, 47, 9). The reasons which are given for this distinction again relate directly to the connection between social and physical dignity, or indignity. Thus Callistratus writes: "All whom it is forbidden to beat with *fustes* ought to enjoy the same respect for rank [*honoris reveretiam*] as *decuriones*. For it is inconsistent to say that those for whom imperial constitutions have forbidden subjection to beating can be condemned to *metallum*" (48, 19, 28, 5).

3. The consequences for a person's legal status, if he or she were condemned to *metallum*, were profound. Any criminal condemnation reduced a person's *existimatio* (reputation), by, for instance, disqualifying them from public office. *Metallum* extinguished their *existimatio* altogether and (unlike *opus publicum*) removed their formal possession of the status of a free person (*Dig.* 50, 13, 5, 2–3). It was primarily in connection with this penalty that there appeared the concept of a *servus poenae*, "slave of the penalty" (see below). *Metallum* carried with it the confiscation of a person's property and the loss of all rights of inheritance or testament. The sentence was for life, unless release came by an individual or general imperial *indulgentia*;²⁸ though Antoninus Pius ruled that a provincial governor could release those found to be incapable of work through age or ill-health, provided that they had served at least ten years and had some living relatives (48, 19, 22).

As with many aspects of Roman criminal law, the rules about gradations and distinctions relating to convict labour in *metalla* were not entirely consistent. Hadrian replied, evidently in answer to a letter from a governor, or a private petition: "No one ought to be

condemned to *opus metalli* for a fixed term [*ad tempus*]. Whoever has been condemned *ad tempus* ought not, even if he is carrying out *metallicum opus*, to be regarded as having been condemned *in metallum*; for his *libertas* [status as a free man] is retained, which those who are condemned to *opus perpetuum* lose" (48, 19, 28, 6). It is thus not clear what was the status of the slave whom a papyrus of 209 shows being released after a five-year sentence to the alabaster-mine in Egypt (*SB* 4639). A little later Herennius Modestinus implies that a fixed-term sentence was normal and states that an indefinite sentence should be construed as one of ten years (47, 19, 23), while Constantine lays down a two-year condemnation *in metallum* for persons of "a rustic or impoverished condition of life" who wrongly challenged a verdict (*CTh* 1, 5, 3).

4. Three different varieties of convict labour in *metalla* are mentioned: *metallum*, *opus metalli*, and *ministerium metallicorum*. According to Ulpian the difference between the first two lay solely in the weight of the chains which the convicts wore, *metallum* implying heavier chains; those who escaped from *opus publicum* and were recaptured might be sent to *opus metalli*; escapees from the latter went to *metallum* (48, 19, 8, 6–7). There is no indication here or elsewhere as to what (if any) difference of function there was between these two categories. Ulpian's evidence, however, confirms the Christian testimony (above) that all the convicts were shackled; they were also, as Callistratus put it, "coerced with servile lashes" (49, 14, 12). Ulpian seems to imply, as regards *ministerium metallicorum*, that it was a function reserved for female convicts: "[I]t is customary for women to be condemned to *ministerium metallicorum* either *in perpetuum* or *ad tempus*.... If they have been condemned *in perpetuum* they are regarded as *servae poenae*; but if *ad tempus* they retain their civil rights" (48, 19, 8, 8). Since *metallici* means the persons condemned to *metallum*, it is easy to suppose that the women performed menial functions for them in the *metalla*. As we saw above, a man complained to Severus Alexander about the improper condemnation of his mother to *ministerium metallicorum* or *opus metalli*. But Hermogenianus, at the end of the third century, speaks of men being condemned to *ministerium metallicorum*, and becoming *servi poenae* (48, 19, 36).

5. Unlike *opus publicum*, which could be served in a person's native town, condemnation to *metallum* necessarily involved transportation over greater or lesser distances. The condemned acquired the status of *metallici* (and will thus have been chained) as soon as sentence was

passed, “although they have not yet been brought to the place where they are due to labour” (48, 19, 10, 1). Similarly Ulpian writes, “Some provinces have them [*metalla*] and some do not. But those which do not send [convicts] to those which have” (48, 19, 8, 4). That it was presumed to be worth the effort of directing soldiers to act as escorts, sometimes over substantial distances, is an indication that this form of labour was felt to be particularly appropriate as a punishment for serious offences. There is nothing as yet to show whether this was because of the punitive nature of the labour involved, or because of the particular value of the products.

6. It will be economical to consider together the evidence, fragmentary and accidental as it is, for the types of *metalla* where convicts are known to have worked, for their geographical locations and for the administrative framework in operation. As regards types, *metallum* is of course ambiguous as between “mine” and “quarry.” Ulpian, however, states that salt-works (*salinae*) could function as an equivalent place of sentence, as could lime or sulphur quarries (48, 19, 8, 8–10). Pomponius mentions a woman condemned *in opus salinarum* and then captured in a raid by “bandits of a foreign tribe” (49, 15, 6).

As regards geographical location, we saw that Christians were serving in *metalla* in Numidia in 258; Cyprian’s previous letter to them, addressed to three groups, who reply separately (*Ep.* 77–79), would imply, if taken literally, that these were gold or silver mines (*Ep.* 76, 2, 2). If so they are not identifiable. However, the geographical location of one of the three groups of confessors in the *metalla*, to whom Cyprian had written, can be determined, at least approximately. They were the bishops, presbyters, and others dwelling *apud metallum Siguense* (*Ep.* 79). Sigus lies in central Numidia, and within a radius of some forty kilometres there are onyx quarries, and mines for lead, zinc, antimony, and copper; only the latter is thought to have been exploited in the Roman period.²⁹ Nor can we firmly identify the alabaster mine in Egypt from which a slave was released in 209 (see above), though two possible sites are known (*ESAR* II, 240). However, Aelius Aristides (*Or.* 36 Keil, 67) describes a porphyry quarry in Egypt and says that, like other *lithotomia*i, it was worked by convicts. We can reasonably take this to be the same porphyry quarry in the Thebaid in which Christian confessors were serving in 308, before ninety-seven of them were transferred to Palestine.³⁰ The site, Mons Porphyrites (Gebel Dokhān), in the eastern desert of Egypt near

Myos Hormos, was guarded by soldiers, as inscriptions, ostraca, and papyri attest.³¹

This quarry was therefore probably imperial property, and the same is more certainly true of the mines in Cyprus to which Christian confessors were sent in 309/10 (Eusebius, *MP* 13, 2). It is reasonable to suppose that these were the same mines of which Augustus had given Herod a share in 12 B.C. and which Galen visited in the middle of the second century. At that time the mine workings were under the direct control of an imperial procurator, and at least some of the workers were fettered.³² A similar pattern may have obtained in Sardinia, illuminated by Hippolytus' account of the chequered early history of the bishop Callistus (*Haer.* 9, 11–12). As the slave of a private person, he was convicted of violence by the prefect of Rome in the 180s, and sentenced to be flogged and sent to the *metalla* of Sardinia; when a letter giving instructions to the procurator of Sardinia to release Christians in the mines arrived (in 189–92), Callistus managed to get himself included. This story, however, reveals nothing about the local administration, policing, or exploitation of the mines. Rather more can be discerned, from the first decade of the fourth century, about the copper mines at Phaeno in Palestine. When Diocletian and Maximian replied to a letter from Iulianus, proconsul of Africa, reporting in 302 on the spread of Manicheism, they laid down that in this instance the rules of status were to be disregarded: even persons who were *honorati* (holders of imperial office) or possessed of *dignitas* should have their property confiscated and be sent to the *metalla* of Phaeno or Proconnesus.³³ The *metalla* of the island of Proconnesus (Marmara) were marble quarries, while those at Phaeno were copper mines, or rather copper workings or sites in a mining area lying east of the Wadi Arabah, between the south end of the Dead Sea and Petra.³⁴ The Phaeno mines play a considerable part in Eusebius' account of the next decade in Palestine. It was to there that one group of confessors was sent in 307, after having their legs disabled with branding irons, and another after being emasculated (*MP* 7, 3–4). Then a group of ninety-seven sent from Egypt suffered the severing of the left tendon and the gouging out of the right eye before being sent to these mines (8, 1); the same occurred with a further group in Egypt, later dispersed to mines in Palestine and Cilicia (8, 13). None the less, by 309/10 the convicts were enjoying a degree of liberty, to the point where they were able to construct buildings to serve as churches; and some who were unable to work because of mutilation or old age had been released from

labour and were living separately but in the same area (13, 1–4). The conditions were thus marked by a considerable degree of freedom on the one side, so that Epiphanius could later record that the followers of Meletius and those of Peter of Alexandria had kept themselves separate in the mines (*Panar.* 68, 2, 8); and on the other by systematic mutilation which must largely have negated any economic function which the convicts could perform. Eusebius elsewhere (*HE* 8, 12, 10) describes these Christians as being “after this [the two forms of mutilation] condemned to the copper mines of the province not so much for service as for the sake of ill-treatment and hardship.” This combination does, however, seem to have been unique to the Christian persecutions of these few years. A few years later Constantine was to decree amputation of a foot as an *alternative* to *metallum* for slaves caught escaping *ad barbaricum* (*CJ* 6, 1, 3).

No evidence survives to illuminate the fate of the Manichees sent from Africa to Proconnesus, though the *Passio IV Coronatorum* represents Proconnesian marble being used for building projects in Rome in the Tetrarchic period. But this same narrative, of uncertain authenticity, does also record Christian confessors, in chains and subject to many lashes, working in quarries in Pannonia.³⁵

That seems to complete the erratic and unsatisfactory evidence for the location of mines or quarries where convict labour is specifically attested. By contrast, the two major documents relating to the mining district of Vipasca in Lusitania (*FIRA*² I, nos. 104–5) contain no hint of the presence of convict labour; nor does the evidence for the imperial gold mines in Dacia, where it is certain that at least some of the work force was employed under contract,³⁶ or that from the famous imperial quarries at Synnada/Dokimaion in Phrygia.³⁷

7. Though it would be useful to carry out a careful re-examination of mining and quarrying under the Empire, without presuppositions as to what “imperial” properties were or what economic or financial functions they performed, for the moment only a very few tentative generalisations are possible. Imperial officials concerned with mines are attested in various provinces.³⁸ But, though Tertullian clearly implies (text to n. 3 above) that the material for cult statues typically came from *metalla Caesarum*, it is certain that the ownership of mines and quarries was never formally or completely monopolised by the emperor.³⁹ The lawyers therefore record specific penalties for the theft of gold or silver from *metalla Caesariana*, or of anything from a *metallum principis* or the *sacra moneta* (imperial mint).⁴⁰ There were

certainly both private and imperial mines; it is equally certain that free labour, and normal slave labour, could be employed in both. When Tertullian elsewhere (*De Cult. Fem.* 1, 5, 1) characterises gold and silver as the product of convict labour (*poenale opus*), he is once again generalising for rhetorical purposes.

It could not even be strictly proved that all those condemned *ad metallum* worked in imperial *metalla*. It is natural, and perhaps correct, to assume that they did; and this would explain why it had to be carefully reiterated by the lawyers that such persons became not “slaves of Caesar” or “slaves of the *fiscus*” but “slaves of the penalty [*poena*]”; but in fact the same principle was held to apply to those condemned to the sword, or *ad bestias*.⁴¹ Furthermore the other evidence for the use of imperial properties as places of detention or exile all relates to individual upper-class victims,⁴² and affords little basis for the idea that such properties might have been used on an extensive scale for this purpose. The only significant hint of such a general use comes in Valerian’s order of 258 that *Caesariani* (imperial slaves) who persisted in Christianity should be bound and sent off to *Caesarianae possessiones* (Cyprian, *Ep.* 81, 1, 2). There is, however, no positive indication that they were to be put to work there. Most imperial possessions, like most property in the ancient world, will have consisted of land. It is perhaps the most significant feature of the use of convict labour under the Empire that it seems never to have been employed on the most important work of all, that on the land (see below).

However, in spite of these reservations, there are clear cases of convict labour being employed in imperial mines and quarries under the control of imperial officials, and conversely no definite evidence for its being made available for private exploitation. It is therefore reasonable to assume that the convicts did work solely in *metalla Caesariana*. If that is so, then the possibility of such a form of forced labour was a function of the gradual spread of imperial ownership of properties of all types. The opportunity thus existed to combine the notion of applying physically degrading penalties to free persons with the existence of properties of various economic types. There might (in principle) therefore have been a significant general deployment of convict labour by way of direct exploitation of these properties. But in fact our inadequate evidence suggests that imperial landed properties were more often leased out for a cash rent than exploited directly through a slave labour force;⁴³ convict labour is attested only in

imperial mines and quarries. The economic objectives which could thus have been sought were therefore of a comparatively limited character; the products, in the form of stone or metal, could have been put on the market, used for minting or (perhaps) for the army, or employed directly in imperial building projects; high-quality marble from imperial quarries might also—as seems clear in some attested cases—have been granted as a gift to cities for their buildings.⁴⁴ It *may* not be an accident that our clearest evidence relates once again to cities and their public works.

It remains to see if there were any other economic functions which might have been performed by convict labour. Since the treatment of long-term convicts closely resembled that of slaves—and the victims indeed included existing slaves—it will be natural to look first at forms of labour which were by convention used as a punishment for slaves.

Pistrinum

We saw earlier (text to n. 8 above) Apuleius' graphic description of men, tattooed and in shackles, working in a mill or bakery; were they slaves, slaves sent for punishment, or possibly convicted free men? What needs no demonstration is that being sent to labour in a *pistrinum* had long been a punishment which hung over slaves (e.g., Plautus, *Pseud.* 494–95).⁴⁵ Similarly, as we also saw (text to n. 9 above), a fugitive slave apprehended in Ephesus might have been detained either in a *custodia publica* or in a *pistrinum*. The implication is therefore that a *pistrinum* was a place where persons were restrained either by fetters or by being locked in, or both, and from which escape would be difficult. This could be the case even for someone who hired out his services to *pistores* (millers or bakers), like Callidromus (already an escaped slave) who was detailed by two *pistores* in Nicomedia, to whom he had hired his *operae* (services), and fled to a statue of Trajan (Pliny, *Ep.* 10, 74). It is therefore no surprise to find that Callistus, even before his condemnation to *metallum* in Sardinia (see above), had been punished by being sent to a *pistrinum* by his master in Rome, some time in the 180s.

Since the use of convict labour evolved in close conjunction with slave labour in other contexts under the Empire, we might well expect that *pistrina*, equipped for detention, penal in character and readily to hand everywhere, would have served the same purpose. Until the fourth century, however, the evidence is almost non-existent. Pliny

reports that grain produced in part of Campania was ground in a wooden mortar, the power for the pestle being supplied by convicts in chains (“vinctorum poenali opera,” *NH* 18, 112). But here, as elsewhere, there is no certain way of distinguishing (formerly) free convicts from slaves enduring extra punishment. When we reach the fourth century, there is some clear evidence for the condemnation of free persons to *pistrina*, but it all concerns the city of Rome itself. In 319 Constantine wrote to the *praeses* (governor) of Sardinia (*CTh* 9, 40, 3): “Let those who in the future appear to deserve punishment for non-serious offences be consigned to the *pistrina* of Rome. When your Sincerity begins to carry this out, all will be aware that those who, as indicated above, deserve to undergo a sentence of this sort for non-serious offences, are to be consigned to *ergastula* [work houses] or *pistrina* and sent to the City of Rome, that is the Praefectus Annonae, under suitable escort.” Thereafter, more consistent evidence does not appear in legal sources until the second half of the fourth century.⁴⁶ None the less, Constantine’s letter clearly attests this new category of custodial penalty for minor offenders. Once again, the purpose served is one which responds to one of the limited economic objectives of the imperial system, namely the supply of bread for the population of Rome, an innovation (as against the supply of corn) introduced in the third century.⁴⁷

***Gynaecaea* and Other Manufacturing Establishments**

However modest the economic objectives of the imperial state may have been, they clearly underwent some expansion in the late third and fourth centuries. It is only then that we begin to have evidence of manufacturing establishments run by the state and concerned with the production and dyeing of textiles. The earliest reference to such an establishment seems to be in Eusebius’ account of the presbyter Dorotheus at Antioch who, because he was a eunuch, was honoured by the emperor towards the end of the third century with the charge (*epitropē*) of the dye works at Tyre (*HE* 7, 32, 3). This accidental allusion reveals a development of some significance and of wholly unknown (and undatable) origin. By the end of the fourth century imperial *baphia* (dye works), *gynaecaea* (woollen mills), and to a much lesser extent *linyphia* (linen mills) were scattered across the Empire, providing clothing exclusively (so far as is known) for the army and the court.⁴⁸ So far as can be discerned, the bulk of their workers were in principle free but bound to their occupation.⁴⁹ None the less we do have evidence from the first half of the fourth century for the

condemnation of free people to these establishments. Under Galerius, after 305, Lactantius reports that ladies of free and even noble birth were thrown *in gynaeceum* (*De Mort. Pers.* 21, 4). Constantine, after his victory in 324, records that under Licinius Christians had been condemned to be thrown into *gynaecea* or *linyphia* “to endure unwonted and wretched toil” or (and?) to be considered “slaves of the *fiscus*” (Eusebius, *Vit. Const.* 2, 34). Finally, Constantine again, at the end of a letter to a praetorian prefect read out in Carthage in August 336, says “As for the son of Licinianus, who has been captured in flight, let him be bound with shackles and consigned to the service of the *gynaeceum* in Carthage” (*CTh* 4, 3, 6; this sentence omitted from *CJ* V, 27, 1). The man concerned was an illegitimate son of Licinius, evidently by a slave or freedwoman, whom Constantine had earlier that year ordered to have his property confiscated and to be beaten, shackled, and reduced to his original status (*CTh* 4, 6, 2).

These items of evidence, however inadequate, are enough to show that convicts represented at least one source of labour for the imperial clothing factories which had been created by the early fourth century. It may well be right to see the establishments themselves as in some way attempts to compensate for the decline of slave labour.⁵⁰ But once again the objectives of this new system, whose scale in this early period is wholly unknown, were strictly limited in character.

Conclusions

Looked at from the point of view of penal principles and practice, the development under the Empire of custodial penalties involving the subjection of free people to beating, fettering, and hard labour represents a radical innovation both in the coercive capacities of the state and in the attitude to individuals. In spite of the immense bulk of the surviving juristic literature from this period, it would, however, hardly be possible to characterise this change as an evolution in legal *theory*, for no trace of any systematic justification or discussion of its various aspects can be discerned. There could thus hardly be a greater contrast with the intense debates and thoroughgoing applications of new penal theories in the eighteenth and nineteenth centuries, analysed in Michel Foucault’s *Surveiller et punir: naissance de la prison* (1975). None the less, the juristic writing on this subject, as on many others, is heavily charged with values and presuppositions which make it an essential part of the social and ideological history of the Empire. So also is the Christian literature of reaction to savage

punishments, and above all the writing of Tertullian.

In this contemporary literature the notion that convict labour might function as a substitute for a declining supply of slave labour plays absolutely no part. That will hardly occasion surprise and, of course, constitutes no proof that it did not have such a function. What is much more significant is the apparent absence of convict labour from agriculture. Yet it does not need to be stated that the use of slaves in shackles was known, or that it was common for slave owners to keep slaves locked in *ergastula* (cf. Columella 1, 6, 3), into which unwary travellers, both free and slave, might disappear by way of kidnapping (Suetonius, *Aug.* 32). However, although we might reasonably expect to find convict labour being used in agriculture, most of the possible evidence for this seems in fact to allude to slave labour. For instance, Columella's references to using as a vinedresser a *noxius* (criminal) bought *de lapide* (at the slave market) (3, 3, 8) seems clearly to refer to a slave sold as a punishment; similarly his allusion to the labour in vineyards of *alligati* (persons in bond) who were *noxii* seems to indicate people who were part of the *familia* (1, 9, 4–5). It is rather less certain whether Pliny the Elder, speaking of the current form of agricultural labour (18, 21), is necessarily referring to slaves: the tasks, he says, formerly performed with their own hands by senators and generals were now fulfilled by men with their feet in chains, condemned and tattooed on the face (“*vincti pedes, damnatae manus inscriptique vultus*”), who came from the *ergastula*.⁵¹ If, as it seems, this too is a reference to slaves enduring a penal form of labour, inflicted as a punishment (cf. also *Σ Juv.* 6, 151), then there is a striking resemblance to the conditions to which the free poor were soon to be condemned. But we still have no proof of the employment of formerly free convicts in agriculture, even on the ever growing imperial estates. If the question of the shortage of slaves had indeed been of fundamental importance, then the means existed within agriculture, by far the largest section of the economy, for deploying convict labour under strict surveillance.

In fact, it may be suggested, we are not dealing with a phenomenon of that level of economic importance. Though there is absolutely no way of computing the numerical scale of convict labour, it is clear that by the second century it was a familiar and accepted fact (note the casual reference to condemnation to *metallum* in Artemidorus 1, 59). But it was deployed, as it seems, simply where degrading or intensely laborious work was available, in “public” (i.e., city) work and in the

mines and quarries of Caesar. Convict labour, which was in any case in part the labour of convicted slaves, thus contributed to the utilities of the cities, to the quarrying of stones for building, and to the production of precious metals and rare minerals; perhaps also (though this is not specifically attested) to that of common metals such as iron or tin; it would also be interesting to know how widely it was employed in salt-works. It was only in the later third and fourth centuries that the state consigned convict labour to the *pistrina* of Rome, or came to possess factories where convict labour assisted (at least) in the production of clothing for the army and the court. The narrow contours of the deployment of convict labour thus represent a quite significant expression of the limits of “economic” thinking in imperial society.

What is far more clearly defined and far more significant is the reservation of these penalties to lower-class persons. The term “lower-class” here necessarily refers to the vast majority of the inhabitants of the Empire (those below the status of town councillor or veteran). We are not therefore dealing with penalties reserved for a “criminal class” or specific groups who were conceived of as subversive or dangerous. Such “bad men” (*mali homines*)—temple robbers, bandits, kidnappers, thieves—are indeed referred to by Ulpian as requiring a governor’s special attention (*Dig.* 1, 18, 13 *pr.*); but the severe penalties which appeared in the Empire threatened a far wider group and reflect social rather than specifically criminological ideas. The significant fact is the close association made between social class and either exemption from or exposure to beating, shackling, being confined in prison, painful and prolonged forms of death, and employment on forms of labour which were either degrading or physically destructive, or both. In this context labour was seen, and used, as a form of violence to the body which was closely comparable to flogging, the cross, or exposure to the beasts. Tertullian was thus wholly justified in placing so much rhetorical emphasis on the various forms of laceration applied to the bodies of condemned Christians. Condemnation to custodial penalties involving hard labour exposed the victims to similar if more prolonged forms of violence to the body and was preceded as a matter of course by whipping. The economic functions of such custodial penalties were not without significance, not least in their very distinct directions and limits; but they should none the less be seen as secondary. It was only an extension of a general principle when the early fourth-century Christians went to the mines with one eye gouged out and a tendon severed: “not so much for service as for the sake of

Notes

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1. Cyprian, *Ep.* 77, 3 (trans. Wallis, 1868, with corrections); cf. also Cyprian’s previous letter to them, 76, 2.

2. See J. G. Davies, “Condemnation to the Mines: A Neglected Chapter in the History of the Persecutions,” *University of Birmingham Historical Journal* 6 (1957–58): 20.

3. See T. D. Barnes, *Tertullian: A Historical and Literary Study* (1971), esp. chap. 14: “The Christian Sophist”; R. D. Sider, *Ancient Rhetoric and the Art of Tertullian* (1971).

4. E.g., U. Täckholm, *Studien über den Bergbau der römischen Kaiserzeit* (1937), 132; S. Mrozek, “Les esclaves dans les mines d’or romaines en Dacie,” *Archeologia* 15 (1964): 119, in Polish with Russian and French résumés, pp. 126–28.

5. There is no general up-to-date discussion of this important question. Note, e.g., O. Hirschfeld, “Die Sicherheitspolizei im römischen Kaiserreich,” *Kleine Schriften* (1913), 576; G. Lopuszanski, “La police romaine et les Chrétiens,” *Ant. Class.* 20 (1951): 1; R. MacMullen, *Soldier and Civilian in the Later Roman Empire* (1963), 55–56.

6. E.g., Th. Mommsen, *Römisches Strafrecht* (1899), 897–98; U. Brasiello, *La repressione penale in diritto romano* (1937), 189–90; P. D. A. Garnsey, *Social Status and Legal Privilege in the Roman Empire* (1970); Garnsey, “Why Penal Laws Become Harsher: The Roman Case,” *Natural Law Forum* 13 (1968): 141. Note also P. A. Brunt, “Evidence Given under Torture in the Principate,” *ZSS* 117 (1980): 256.

7. I had earlier assumed that Constantine was speaking of *branding* (on the face or elsewhere). But the characteristic expressions used—

scribitio, *frontes litterati* etc.—clearly suggest tattooing, as does a fair volume of comparative evidence; see J. W. B. Barns and H. Lloyd-Jones, “Un nuovo frammento papiraceo dell’*elegeia ellenistica*,” *St. It. Fil. Class.* 35 (1963): 205. I am also grateful to Professor C. P. Jones for letting me see his then unpublished paper, “Stigma: Tattooing and Branding in Graeco-Roman Antiquity,” *JRS* 77 (1987): 139.

8. *Met.* 9, 12, trans. Graves. See F. Millar, “The World of the *Golden Ass*,” *JRS* 71 (1981): 63, on p. 65 (chapter 15 in this volume).

9. *Ad Qf.* 1, 2, 14 (Shackleton-Bailey 2).

10. See *RE* and Daremberg and Saglio, s.v. “Carcer”; *RAC*, s.v. “Gefangenschaft.” [See now J.-U. Krause, *Gefängnisse im Römischen Reich*, *Habes* 23 (1966)].

11. H. Musurillo, *Acts of the Christian Martyrs*, no. 5 (= Eusebius, *HE* 5, 1, 8; 27) (Lyon); no. 10, 10–17 (Smyrna).

12. *Ibid.*, nos. 12, 14.

13. M. Sartre, “Nouvelles inscriptions grecques et latines de Bosra,” *Ann. Arch. Arab. Syr.* 22 (1972): 167, on p. 175, no. 8; see *BE* 1973, no. 501.

14. *CTh* 9, 3, 1, trans. C. Pharr; some variants in *CJ* 9, 4, 1.

15. *Dig.* 49, 1, 25 = *P. Oxy.* 2104. See F. Millar, *The Emperor in the Roman World* (1977), 392–93 (henceforth *ERW*).

16. See, for instance, R. MacMullen, “Roman Imperial Building in the Provinces,” *HSCPh* 64 (1959): 207.

17. See P. A. Brunt, “Free Labour and Public Works at Rome,” *JRS* 70 (1980): 81.

18. See A. Mócsy, “Ubique res publica,” *Acta Antiqua Academiae Scientiarum Hungaricae* 10 (1962): 367.

19. For Caesar’s aedilician games in 65 B.C., see Pliny, *NH* 33, 53 (*noxii*—or slaves being punished?). See G. Ville, *La gladiature en Occident des origines à la mort de Domitien* (1981), 232–33. Cf. L. Robert, *Les gladiateurs dans l’Orient grec* (1940), 320–21.

20. Apuleius, *Met.* 10, 18; Millar (n. 8), 68–69.

21. So *ERW*, 194–95.

22. Brasiello (n. 6), 360–61, is wrong to associate this penalty with *vincula publica*.

23. So *Coll.* 13, 3, 2; *biennio* in *Dig.* 47, 21, 2.

24. Eusebius, *VC* 2, 20, 3; Sozomenus, *HE* 1, 7, 3.

25. See T. Pekáry, *Untersuchungen zu den römischen Reichsstrassen* (1968), 120.

26. Most fully in *Coll.* 11, 7, 1–2; extract in *Dig.* 47, 14, 1 *pr.*

27. *Dig.* 48, 19, 28, 13–14. See Garnsey, *Social Status* (n. 6), 103–4.

28. See, e.g., *Pauli Sent.* 4, 8, 22 (24); *CJ* 9, 49, 4; 51, 2; 4.

29. See U. Saumagne, *Saint Cyprien, évêque de Carthage* (1975), 152 and n. 3.

30. Eusebius, *MP* 8, 1; cf. 9, 1.

31. See K. Fitzler, *Steinbrüche und Bergwerke im ptolemäischen und römischen Ägypten* (1910), 94–95; J. Lesquier, *L'armée romaine d'Égypte* (1918), 439–44; *RE*, s.v. “Porphyrites”; D. Meredith, “The Roman Remains in the Eastern Desert of Egypt,” *JEA* 38 (1952): 94. Cf. A. Bernand, *Pan du Désert* (1977), 44–45.

32. *ERW*, 184–85.

33. *Coll.* 15, 3, 7. For the date, see T. D. Barnes, *The New Empire of Diocletian and Constantine* (1982), 55.

34. For the copper workings at Feinan, see F. M. Abel, *Géographie de la Palestine* II (1983), 41–42; H. D. Kind, “Antike Kupfergewinnung zwischen Rotem und Totem Meer,” *ZDPV* 81 (1965): 56, esp. 57–64.

35. *Passio Sanctorum IV Coronatorum*, ed. W. Wattenbach, in M. Büdinger, *Untersuchungen zur römischen Kaisergeschichte* III (1870), 321. See Täckholm (n. 4), 136–37; *RE Supp.* IX, 674, s.v. “Pannonia” (A. Mócsy); A. Mócsy, *Pannonia and Upper Moesia* (1974), 326.

36. See the full study by H.-C. Noeske, “Studien zur Verwaltung und Bevölkerung der dakischen Goldbergwerke in römischer Zeit,” *Bonn. Jahrb.* 177 (1977): 271.

37. See L. Robert, *Journal des Savants* (1962): 13–14, with refs., and cf. M. Waelkens, *Dokimeion: die Werkstatt der repräsentativen kleinasiatischen Sarkophage* (1982), esp. 124–25.

38. See, e.g., Pflaum, *Carrières* III, 1053, 1061, 1063, 1065.

39. See Jones, *LRE*, 837–39.

40. *Dig.* 48, 13, 8, 1; 19, 38 *pr.* = *Pauli Sent.* V, 21a, 1.

41. See, e.g., *Dig.* 28, 3, 6, 6; 29, 2, 25, 2–3; 34, 8, 3 *pr.*; 48, 19, 12; 17 *pr.*

42. *ERW*, 182.

43. *ERW*, 185–86; compare D. J. Crawford, “Imperial Estates,” M. I. Finley, ed., *Studies in Roman Property* (1976), 35.

44. ERW, 184.

45. See also Plautus, *Asinaria* 708–9, and L. A. Moritz, *Grain-Mills and Flour in Classical Antiquity* (1958), 67–68.

46. See, e.g., *CTh* 9, 40, 5–7; 9; 14, 3, 12; 17, 6. See J.-P. Waltzing, *Corporations professionnelles* II (1896), 333–34.

47. See D. van Berchem, *Les distributions de blé et d'argent à la plèbe romaine* (1939), 104–5; G. Rickman, *The Corn Supply of Ancient Rome* (1980), 206–7.

48. See Jones, *LRE*, 836–37, and “The Cloth Industry under the Roman Empire,” in P. A. Brunt, ed., *The Roman Economy* (1974), 350.

49. See N. Charbonnel, “La condition des ouvriers dans les ateliers impériaux aux IV^e et V^e siècles,” in F. Burdeau et al., *Aspects de l'Empire Romain* (1964), 61, esp. 77–78. Note also, for the *fabrica* at Sardis, C. Foss, *Byzantine and Turkish Sardis* (1976), 7–8, 14–15, and “The Fabricenses Ducenarii of Sardis,” *ZPE* 35 (1979): 279 (*SEG* XXIX, 1206). For the imperial dye works at Tyre, note too the sarcophagus “of Thioktistus, dyer of the most sacred imperial purple”; see J.-P. Rey-Coquais, *Inscriptions de la Nécropole* (1977), no. 28.

50. See Charbonnel (n. 49), 70–71.

51. For a full discussion, see R. Étienne, “Recherches sur l'ergastule,” *Actes du Colloque 1972 sur l'esclavage* (1974), 249.

CHAPTER EIGHT

The Equestrian Career under the Empire



Prosopographical methods, which have revolutionized the study of republican politics, have produced for the imperial age results less spectacular in themselves but no less fundamental for our understanding of the historical processes involved. The history of the Roman governing class in this period becomes one not of violent change but of slow development and evolution, and the immense and ever increasing mass of documentary evidence enables us to observe these processes in the persons and careers of hundreds of men quite unknown to the literary sources. This is true above all of senators, for the senatorial *cursus*, developed in the Republic, further regularized and expanded in the Empire, affords a framework within which careers can be precisely analysed and compared. We can tell whether a man's early posts showed promise of future advancement, or whether he rose fast or slowly or received some check in midcareer, and may be able to relate a distortion of the normal pattern in the course of his advancement to historical events of his life-time. In other words, from the bare record of posts held it is often possible to form, within certain limits, a true and meaningful conception of a man's public life.

Some hundreds of inscriptions reveal, in very similar ways, the careers of people who belonged to the equestrian order (*equites*) in the first three centuries of the Empire. But, while an enormous amount can be learnt from them, the careers they reveal do not display an obvious structure—comparable with the essential core of senatorial posts and magistracies held in Rome, the vigintivirate, quaestorship, tribunate, praetorship, and consulate—which could enable the assured comparison of one career with another. But, where there is enough evidence, patterns which are not explicit and obvious may still be sought. O. Hirschfeld, *Die Kaiserlichen Verwaltungsbeamten bis auf Diocletian*² (Berlin, 1905), 410–11, discussed the procuratorial career with typical elegance and caution, but found that no firm results could be achieved. Pflaum's true predecessor was A. Von Domaszewski, *Die Rangordnung des Römischen Heeres* (Bonn, 1908; rev. ed. B. Dobson, 1967). On pp. 141–42 he produced a brief *schema* of grades of

procuratorial posts, based on the military ranks from which promotion to each grade followed. The results, though compressed and achieved without much regard to chronological development, are far from unconvincing.

The full treatment of the subject has been left to Pflaum, who has devoted to it an immense learning and a large part of his life. The results were shown first in his *Procurateurs équestres sous le Haut-Empire romain* (1950); the three admirably produced volumes under review form the promised “thèse complémentaire” of that book and are the culmination of his work. The first two volumes deal in separate entries with some 350 individual careers (i.e., on Pflaum’s definition, a case where at least two equestrian posts are attested for a man, other than the four major prefectures); in each entry the documentary and literary evidence is set out in full and is followed by a detailed discussion. The third volume gives *addenda* and then something of enormous value in itself, the lists (*fasti*) of all the various equestrian procuratorial posts in Rome, Italy, and the provinces, and finally immensely detailed indices covering persons, places, posts, and sources of evidence, and relating both to this work and the *Procurateurs*. The “tableaux d’avancement” give a tabular analysis of all the careers discussed divided by type and period. It can thus be seen that, if it were nothing else, this would be a reference work on a considerable scale and of lasting value.

It is, however, essentially not a work of reference alone, but an instrument in the demonstration of Pflaum’s theses about the equestrian career (*cursus*). This dual function of the work must be reflected in any full review of it. In this chapter, therefore, I will consider Pflaum’s views and the value of his contribution as a whole—which will involve some reference to the *Procurateurs*, with which this work is so intimately linked. A detailed review of the individual entries will not be included.

Pflaum’s primary thesis is that the appellations *trecenarius*, *ducenarius*, *centenarius*, and *sexagenarius* (indicating an annual salary of 300,000, 200,000, 100,000 and 60,000 sesterces respectively), which are attached sometimes to the titles of equestrian posts and sometimes to the names of their holders, relate to established grades which gave the essential structure of the equestrian *career* throughout the period concerned. Two major difficulties have to be dealt with before such a view could seem probable. Firstly, as Pflaum is of course well aware, these terms do not appear on documents until the reign of

Commodus. The two pages (*Procurateurs*, pp. 29–30) in which Pflaum argues his case for extending these grades back to the reign of Augustus are hardly adequate for something so fundamental to his work. Secondly, Pflaum recognized himself that there is no attested equivalent in the case of equestrians for the laws regulating minimum ages and intervals between tenure of magistracies which dictated the structure of senatorial careers (*Procurateurs*, p. 210). But what then do we make of propositions such as that the organisation of the hierarchy of posts under Tiberius still allowed certain liberties with the pattern of promotion (“L’organisation de la hiérarchie sous Tibère permettait encore à l’empereur de telles libertés avec le tableau d’avancement,” *Carrières*, p. 4)—or of the many other occasions on which Pflaum speaks of the rules (*regles*) which governed equestrian promotions?

Taking these two points together, one can admit that Pflaum has shown, firstly, that posts which were in existence throughout the whole period tended to remain in the same relation of importance to each other and, secondly, that in the period from the end of the first to the middle of the third century there was a regular pattern of promotion, or rather a series of linked regular patterns. But the distinction between a system which, in the process of development and expansion, retained certain regularities and one in which there were from the beginning explicit grades and rules of promotion is fundamental. Pflaum has nowhere given a clear and full statement of his reasons for preferring the second of these views.

On general grounds, should we be ready to accept the conception of an organized “career” as fundamental to the nature of equestrian office-holding from the beginning? It may be worth detailing here some considerations relevant to the soundness of Pflaum’s conclusions and their wider importance.

1. Pflaum almost totally ignores freedmen procurators. Even, for instance, in his article s.v. “procurator” in Pauly-Wissowa XXIII (which, lamentably, is merely a condensed and revised version of his *Procurateurs*) he devotes only a paragraph to them (cols. 1277–78). There he lays down that there was a distinction of principle between equestrian and freedmen procurators, because the latter hardly ever have the title *procurator Augusti*. But this is an absurdity, for a man who calls himself, for instance, *Acastus Aug(usti) lib(ertus) procurator provinciae Mauretaniae* (Acastus, Augustus’ freedman, procurator of the province of Mauretania, *ILS* 1483) need not, and for stylistic reasons will not, repeat the *Aug(usti)* after *procurator*. This curious slip apart,

Pflaum does, however, seem to believe (as he indicates in *Procurateurs*, p. 34, and *Carrières*, p. 114) that freedmen procurators were systematically the *assistants* of equestrian procurators, even where the posts held are apparently identical. He might have been able to prove this in his promised *Mémoire sur les sousprocurateurs*, but alas this never saw the light of day. I find it difficult to accept. It is true that (as in Tac. *Ann.* 13, 1, Pliny *Ep.* 10, 84 or *CIL* VIII 25902) where an equestrian and a freedman procurator are mentioned together, the equestrian is mentioned first; but there is nothing in such cases to show that their functions were not identical. Pflaum admits of course that, for instance, the post of *praefectus classis* (prefect of the fleet) could at first be held by freedmen. But in discussing the career of Pompeius Macer (*Carrières*, No. 2), he has to assume, gratuitously, that his post in connection with Augustus' libraries must have been some higher function than that performed by the freedman Hyginus. Again, he does not mention the freedman, Halotus (*PIR*² H 11), on whom Galba "bestowed an important procuratorship" (an expression used by Pliny *Ep.* 7, 31, 3–4 to refer, implicitly, to the procuratorships of the *vicesima hereditatium* [the collection of the 5 per cent tax on inheritances] and the Alpes Graiae; see No. 54).

This concentration on equestrians leads to factual errors, as where (*Carrières*, p. 209) he says that the earliest evidence for districts for the collection of the *vicesima hereditatium* dates to the reign of Hadrian—ignoring *CIL* VI 8443, *Ti(berius) Claud(ius) Aug(usti) lib(ertus) Saturninus proc(urator) XX here(ditatum) prov(inciae) Achaeae*. It also means that his otherwise invaluable lists of holders of the individual posts are incomplete. They do not give a list of all the holders of these posts. But a more serious consideration is that the fact that some of the civilian posts open to equestrians could also be held by freedmen must be relevant to a proper view of them. They were not in fact such that they could only be reached via a "career."

Equestrian and freedman office-holding ought to be considered together, and compared. Curiously, Pflaum in the *Procurateurs*, pp. 198–99, lays considerable emphasis on the letter of Fronto in which he supports the petition of an imperial freedman, Aridelus, for a procuratorship "in the right form, at the right place and time" (*petit nunc procurationem ex forma suo loco et iu*  *tempore*), but gives no further consideration to office-holding by freedmen.

2. By the mere process of including only men who held two or more equestrian posts Pflaum has excluded from his view men who

held only a single post. But it cannot be assumed that in every case where only one post is known, further evidence would show a full “career.” Equestrian posts might, it is in fact clear, be an adjunct to a man’s personal standing. A Greek sophist might become *advocatus fisci* (a legal representative of the imperial emperor’s treasury) in a province (like Quirinius in Asia, Philos. VS II, 29, omitted by Pflaum, *Carrières*, p. 1073) or in Rome (Heliodorus, VS II, 32), a *procurator* (Dionysius, JOAI XL, 1953, 6–7) or *ab epistulis graecis* (the official in charge of the emperor’s Greek correspondence) (Hadrianos, VS II, 10), just as Trajan’s doctor, Statilius Criton, became a *procurator* (if a restoration in Robert, *La Carie* II, p. 167, no. 49 is correct). Plutarch was made *epitropos* (i.e., *procurator*) of Achaëa in his old age (Euseb. *Chron.* ad 119—I can see no reason to dismiss this) and a third-century Palmyrene, Iulius Aurelius Septimius Vorodes, was *procurator Augusti* and also *procurator centenarius* of Zenobia (*Bull. Ét. Or. Inst. Fr. Damas* IX, 1942–43, 60–61). Pflaum tends to see “careers” where perhaps there were none. He says, for instance, of P. Aelius Zeuxidemus Aristus Zeno (*Carrières*, No. 205), who was high priest (*archiereus*) of Asia and *advocatus fisci* in Phrygia and then in Asia, that he was probably too old when first appointed to go through the normal stages of the career. That is surely to misconceive the man’s position—compare the Ulpii Lycini, grandfather and grandson (*MAMA* VI, 373, conflated by Pflaum, *Carrières*, p. 1074), who were both *advocatus fisci* in Phrygia. These examples suggest again that the “career” was not essential to equestrian office-holding.

3. Even with military posts the “career” is not perhaps as prevalent as Pflaum supposes. The possibility of holding a prefecture or tribunate as a sinecure is explicitly attested in the late Republic (Nepos *Att.* 6, 4; see also Cic. *ad fam.* 7, 8, 1, and *ad Att.* 5, 21, 10), and Suet. *Div. Claud.* 25 records the institution of a “a type of fictitious military post” by Claudius (see Hirschfeld, *Verwaltungsbeamten*, p. 422). Moreover it has long been recognized—though the fact is not, I think, explicitly acknowledged by Pflaum—that the office of *praefectus fabrum* (prefect of engineers) in the Empire was normally a sinecure. One might well suspect that the single military tribunate (with no legion mentioned) held by C. Julius Spartiacus (*Carrières*, No. 24 bis) was nominal. In that case he perhaps never left Sparta, and his procuratorship could be considered, like some posts mentioned above, an adjunct of his local position—note that C. Iulius Laco, probably his brother (*JRS* 51 [1961]: 118), was also a *procurator*. Then C. Stertinius Xenophon (*Carrières*, No. 16) moved into the imperial service, as

archiatros (chief doctor), from a profitable practice in Rome. Surely the tribunate and *praefectura fabrum* which he held were nominal posts given him as Claudius' *comes* (companion) on the British expedition? Similarly with the jurist Caecilius Crescens Volusianus (*Carrières*, 142) who was *praefectus fabrum* and then *advocatus fisci Romae* (i.e., *advocatus fisci* in Rome). It is worth noting the case of one P. Messius Augustinus Maecianus (son of *Carrières*, No. 231), "a youth of senatorial rank who had filled three posts of equestrian status." The posts held by a youth (*puer*) will surely have been nominal. One might wonder how many such cases lurk in the inscriptions of "careers" (perhaps, for instance, the tribunate and the command of an auxiliary cohort, *praefectura cohortis*, of Titinius Capito, *Carrières*, No. 60?).

4. Sherwin-White established years ago (*PBSR* 15 [1939]) that careers stretching across the different types of equestrian posts only began with the reign of Claudius. But even after that there was never a common core of posts held by all equestrians or a common point of entry to equestrian posts. A man might hold his posts in Rome, or never come to Rome at all. Nor did any formal age limits for the holding of posts shape the equestrian "career."

5. Pflaum himself lays down (*Procurateurs*, pp. 165–66) that the actual level of pay for procuratorial posts could not have exhausted the possible profits to be gained from them. All holders of such posts already possessed the equestrian census of 400,000 sesterces, and many had already occupied magistracies in cities. The main profits of equestrian office may well have come from incidental benefits, gifts, or simply bribes. The pay itself was clearly not a *negligible* factor (Fronto, in recommending Appian, is careful to say that he is not moved "by ambition or greed for the procurator's salary," but we have no a priori reason for assuming that the level of pay was from the beginning the index by which procurators were graded).

Given such considerations, Pflaum ought to have established the basis of his theory by an examination of all the documentary and literary uses of *ducenarius* and the other terms. In doing this, he might perhaps have asked himself explicitly why it was precisely in the reign of Commodus that these terms came into common semi-official use. The answer in fact seems clear from his own survey in *Procurateurs*, pp. 29–30, of the gradual multiplication of equestrian posts. Ducenariate posts (to use Pflaum's classification) predominate in the first century and in the Hadrianic period are still as numerous as centenariate or sexagenariate posts. Only in the reign of Commodus,

when the total of attested posts reaches 136, do we find a typical “pyramid” hierarchy (51 “sexagenariate” posts, 48 “centenariate,” and 36 “ducenariate”). The process was perhaps roughly as follows. Equestrian officials, as is beyond dispute, received a yearly salary from the inception of the Principate. Up to the mid-second century the more important posts were an identifiable group with a common level of pay. Their holders might thus (occasionally) be referred to as *ducenarii*. In this period there are no documentary uses of the term, and only two literary: Suet., *Div. Claud.* 24: “[H]e conferred consular marks of honour also on procurators holding a ducenariate post” (a procurator of Pontus and Bithynia, Iunius Cilio, and of Gaul, Graecinius Laco), and Apuleius, *Met.* 7, 6: “a procurator of the princeps who filled a ducenariate post” (the date of the *Metamorphoses* is of course uncertain). In the reign of Marcus Aurelius we get the first documentary use, in an inscription from Bulla Regia, not available to Pflaum, but reported in *Fasti Archeologici* 13 (1958): 4404 (with a photograph, pl. XXVI, fig. 78), and *Studi Romani* 7 (1960): 331, and printed as *AE* 1962, 183. It details the career of one Q. Domitius Marsianus up to the post of procurator of the emperor’s private property (*patrimonium*) in the province of Narbonensis and gives an example of the letters of appointment (*codicilli*) of Marcus Aurelius making him a *ducenarius*. In the reign of Commodus the number of less important posts had swollen sufficiently to make it worth while to use *ducenarius* quite commonly as a semi-official term on documents, and to use *centenarius* and *sexagenarius* (not found in literary sources with this meaning) to distinguish the lower levels. *Trecenarius* also appears, but only twice in the period covered by Pflaum. For almost a century these terms are in common use to designate grades of post; their significance is attested explicitly by Dio 53, 15, 5: “As for the procurators, the very title of their rank is derived from the level of the pay given to them,” which is supported by 52, 25, 2, from the Maecenas speech; both passages relate to Dio’s own time. But even in this period these terms still appear in only one in four of the careers discussed by Pflaum. Nine posts are explicitly attested, eight of them only once, as sexagenariate, ten (eight or nine of them once only) as centenariate, and seventeen (seven once only) as ducenariate. In the face of the total of 182 posts which on Pflaum’s reckoning (*Procurateurs*, p. 105) are attested for this period, these figures (which are purely for guidance and do not take account of many difficulties) are not very impressive. Moreover, there are considerable variations in terminology—*procurator ducenarius* (a procurator holding a

ducenariate post), *promotus ad ducenariam* (advanced to a ducenariate [procuratorship]), *ducenarius praefectus vehiculorum* (ducenariate prefect of the state wagons), *adsumptus in consilium ad HS LX* (admitted to the council with a salary of 60,000 sesterces)—which should indicate that the terms did not have an established function. In the second half of the third century *ducenarius* at least came to be an honorific term not related to specific posts.

The documentary uses of *sexagenarius* and *centenarius* give little opportunity of checking for coherence. The uses of *ducenarius* do, however, show that there were some posts, especially those in Egypt, where the level of pay was stable. Pontus and Bithynia also is a post which remained ducenariate from the mid-first to the early third century (*Carrières*, No. 325). But it is also clear that there were posts, like those of *praefectus vehiculorum*, *a studiis* (a “secretarial” post whose precise role is uncertain), the imperial domain at Hadrumetum, or member of the emperor’s council (*consiliarius*), which could be held at two levels of pay. Others fluctuated in importance. The procuratorship of Thrace in this period will not fit easily into Pflaum’s scheme; *Carrières*, No. 244 (A.D. 200–1) is a *sexagenarius*, but *Carrières*, No. 268 (T. Aurelius Calpurnianus) comes to the post from Moesia Inferior, which ought to be centuriate. Pflaum has to say that this was after the “intensive urbanization” (i.e., the Pizos inscription) carried out by Severus and Caracalla—but Calpurnianus’ procuratorship cannot be closely dated (*PIR*² A 1471). Under *Carrières*, No. 312 the post has become centuriate again.

When we come to look at the patterns of promotion over the whole period it is clear that while the relative importance of posts remained remarkably constant, the concept of established grades is simply not relevant before the last part of the first century, since the required lesser posts are not there in sufficient numbers. From then on there are certainly established patterns of promotion, but there is nothing to show that any prescriptive rules governed them. The greatest regularity is shown in the careers of former equestrian officers and of *ex-primipili bis* (centurions who held the senior centurionate of a legion for a second time). The importance of the “praetorian” careers of the latter (see especially M. Bassaeus Rufus, *Carrières*, No. 162) is clearly demonstrated (that is, careers taking them through tribunates in the praetorian cohorts). But at all times men might enter at different points in the scale or might miss a grade, with no trace of expressions comparable with those like *adlectus* or *promotus inter praetorios*

(elected or promoted into the rank of ex-praetors) which indicate the exceptional advancement of a senator (nor were there *insignia* of the different grades). Posts might gain or lose in importance—the procuratorship of the *quadragesima Galliarum* (the 2.5 per cent customs duty in Gaul and Germany), the *quattuor publica Africae* (the four indirect taxes raised in Africa), and the *argentariae Pannonicae et Delmaticae* (the silver-mines of Pannonia and Dalmatia), for instance, seem to have gained, while the *praefectura alae* (prefecture of a cavalry unit) lost; from Hadrian's reign on ex-*praefecti alae* sometimes move to relatively minor posts such as those of *censitor* (the official in charge of the census in a province) or of *epistrategus* in Egypt.

Pflaum has demonstrated both that the structure of equestrian promotions remained extremely stable and that intelligible patterns can be traced within the structure. He has not shown that any explicit rules were ever formulated for it.

What should be the final judgement on Pflaum's work? His principal thesis cannot, so far as I can see, be formally disproved; it may be the case that equestrian careers, from the inception of the principate, were structured on a series of established grades based on the level of pay. But it cannot be proved either, and the theory as such seems an unnecessary encumbrance on an otherwise readily intelligible pattern in which a number of disparate posts entrusted to equestrians gradually coalesced into something like an organized civil service. On this view, the rankings in terms of pay, explicitly attested by Dio but still appearing only in a minority of documents in the period 170–270, would be regarded as a consequence of the development and extension of equestrian office-holding, rather than as a factor determining the nature of that development.

But whatever objections there may be to the categories into which Pflaum attempts to fit his material, the patterns of promotion and office-holding which he demonstrates are undeniable and make this work a landmark in our understanding of an important aspect of the imperial administration. Against this network of interrelated patterns individual careers can be interpreted with confidence in a way never before possible. In this immense collection of material, admirably set out and analysed with devotion and insight, Pflaum has produced a major contribution to the study of the Empire, and one which can stand comparison with the works of Hirschfeld and Stein.

* First published as a review of H.-G. Pflaum, *Les carrières procuratoriennes équestres sous le Haut-Empire romain* I–III (Paris, 1960–61) in *JRS* 53 (1963): 194–200. Some detailed points of discussion are omitted here.

CHAPTER NINE

Emperors, Frontiers, and Foreign Relations, 31 B.C. to A.D. 378



Introduction

“Severus ... was in the habit of saying that he had gained a large additional territory and made it a bulwark for Syria. But the facts themselves show that it is a source of continual wars for us, and of great expenses. For it provides very little revenue and involves very great expenditure; and having extended our frontiers to the neighbours of the Medes and Parthians, we are constantly so to speak at war in their defence.” So writes Cassius Dio about the extension of the eastern frontier in the 190s and the creation of the provinces of Mesopotamia and Osroene.¹ The significance of the passage however, extends beyond the question of the eastern frontier itself at that moment. Written by an ex-consul, and former adviser of Severus, it reveals two types of justification for conquest uttered by the Emperor himself—one straightforwardly imperialistic, the other strategic; and a critique of this from two points of view, the balance of income and expenditure, and the wider strategic commitments incurred. Whether Dio had formulated such views already in Severus’ reign we cannot know; this section of his History will have been written at the earliest towards 220, and probably later.² If he had, we have no reason to think that he expressed them to Severus. If he did, it can only have been after the event, for his own narrative at this point makes clear that the new province of Mesopotamia was entrusted to an equestrian, and an “honour” (the status of *colonia*) given to Nisibis, either after the campaign of 195, or (less probably) after that of 198, in neither of which Dio himself took part.³ None the less, the fact that the passage retails both the authentic views of an emperor and a critique of them by an ex-consul may encourage us to ask some general questions: how, by whom, and within what conceptual frameworks were the foreign and frontier “policies” of the Empire formulated?

We need not doubt the importance of such problems. On the one hand the results of these policies had fundamental effects on the political, social, and cultural contexts within which millions of people

lived, from the lamplighters of Oxyrhynchus taking their oath by “Caesar” in 30/29 B.C.;⁴ to the people of Dura who found Roman troops established in their city in the late second century and then saw it destroyed by the Persians in the 250s; or (in Ammianus’ marvellous description) the inhabitants of Nisibis evacuating the city in 363 under the terms of Jovian’s treaty with Shapur II.⁵ On the other hand the problems involve the extent of the geographical and ethnographical knowledge available to the emperors and their advisers; the nature of the conceptual framework which they could apply to this knowledge; and their conception of the Empire itself—either (to put it at its simplest) as an offensive system designed for further conquests, or as an essentially static defensive system. Then there are more specific and concrete but equally fundamental questions. Was (for instance) a map of the German or Tripolitanian frontier, or of northern Britain, available in Rome, or wherever the emperor was? In either case how, with what delays, and in what form did short-term information reach the emperor or whoever made decisions on frontier questions? Who indeed was involved in such decisions, and what difference did it make whether at the relevant moment the emperor was in Rome, in a province, or on campaign elsewhere?

These questions are, of course, prompted by E. N. Luttwak’s excellent *Grand Strategy*,⁶ whose approach is to analyse the actual dispositions of troops and frontier installations at successive periods, and to deduce from them the nature and intentions of the current imperial strategy. It remains possible, however, to doubt whether all the successive phases actually answer to Luttwak’s analyses, and to wonder whether indeed there was a “grand strategy” rather than a series of positions arrived at by ad hoc decisions.⁷ It is therefore all the more important to ask whether we can know how the emperors or others could or did acquire information, form views, and formulate decisions in these areas. It may be, of course, that we cannot. As Dio himself observed in a famous passage, under the Empire decisions were taken in secret, and what was given out was often untrue, or at least unverifiable.⁸ But imperial *civil* decisions did at least produce a vast series of written pronouncements, letters, and verdicts, preserved in literary and legal sources and on papyri and inscriptions, which are not merely products of the imperial entourage, but which cannot be falsified (unless proved to be inauthentic) because they are performative utterances which embody rather than report imperial actions. By contrast, whereas we know that there was correspondence between emperors and the governors of imperial provinces on matters

of frontier policy, no texts of such letters survive. There were also letters between emperors and foreign kings, but our only texts of these are offered by literary sources of the fourth century (the letter of Constantine to Shapur II, and Shapur's exchange of letters with Constantius in 358), and are of uncertain authenticity.⁹ Comparable problems arise with imperial pronouncements which are certainly authentic, the *Res Gestae* of Augustus or Julian's *Letter to the Athenians*,¹⁰ but which contain retrospective reports, justifications or celebrations of military or diplomatic policy. Like the victory titles of emperors, or their coins, columns, or arches, these pronouncements will tell us what was claimed, while leaving us without even the certainty that the claim was not justified. The difficulty in knowing simply "what happened" is illustrated dramatically, for instance, by the total contradiction between Graeco-Roman narrative sources on the death of Gordian III and the ending of the Persian campaigns under Philip, and our only external document on imperial campaigns, the so-called *Res Gestae* of Shapur I from Naqsh-e Rostam.¹¹ None the less, even the most blatant of propaganda will tell us what someone wished to be believed and will by implication reveal something of the values, objectives, and presuppositions both of its author and of its intended audience. As the passage of Dio shows, it does not follow that contemporary observers assented to the claims made in propaganda. But the overall pattern of propaganda must still tell us something of the conceptual framework within which policy was formulated.

The same applies to what must, for lack of anything better, remain our main source of evidence, the historical narratives, letters, and biographies of the period. Some of these at least—for instance, the works of the two Plinies, Tacitus, Suetonius, Dio, and Ammianus—come from precisely the class of men who were called to the emperor's *consilium*, acted as his secretaries, or served on his staff. Have we any reason to suppose that even those emperors (remarkably few) who were brought up and trained as such could have acquired a conception of frontier or foreign policy which was significantly different from theirs? Even if that could be shown, many of the emperors who played the most important parts in military history—for instance, Vespasian, Trajan, Septimius Severus, Aurelian, Diocletian, and Valentinian—came to the throne in middle life, from the Senate or from equestrian posts. Chance or circumstance could have brought Tacitus, Dio, or Ammianus to the throne just as well as Trajan, Severus, or Valentinian. We would be quite wrong to *assume*

that imperial policy was informed by reasoning which was superior or different in kind from that of those who recorded it in historical narratives.

A superiority of immediate concrete information—in the form of messages from the frontiers—on the emperor's part might well be supposed. But even here his dependence on his social and cultural environment is manifest, for new information could come to him from three main sources: missions sent by him across the frontiers to explore and report back; reports from governors (men, once again, like Tacitus, Agricola, Pliny the Younger, or Dio); or the arrival of foreign envoys. In all these cases his perceptions of the situation must have been profoundly affected by the conceptions and interests of those presenting the information.

What follows is offered as no more than a few tentative steps towards analysing the conditions under which the external policy of the Empire was formulated and put into effect in the four centuries between Actium and Hadrianople. The need for such an approach is widely recognised,¹² and the theme is of considerable relevance to our understanding of the nature of the Empire. The discussion will be based on literary and documentary evidence, will have to be highly selective, and will do no justice to the complexities of particular campaigns or the archaeology of individual frontiers. But it may serve to raise some questions, and to emphasize the limits imposed on policy and its execution by Graeco-Roman culture, the structure of government, time, distance, and the conventions of diplomacy. No apology is made for the use of arguments from silence. We must *as a first step* listen to what our sources explicitly tell us and refrain from making assumptions as to what they do not tell us. If we then wish to claim (for instance) that the emperors systematically gathered and stored information from traders and others, at least we shall know that this is a hypothesis.

The Agents of Decision

No one will argue that the popular assemblies in Rome still played any part in the declaration of war or the making of treaties. Nor is there any reason to think that the Senate acted as a genuine vehicle of decision in military or foreign policy matters, in the sense of being a forum of debate where contrary opinions were expressed and votes taken. That said, however, the evidence shows that up to the mid-second century it could and often did play at least a formal role in

matters affecting wars, “client” kings, and foreign relations. It seems indeed to have lost this role at roughly the same time as it ceased to receive embassies from provincial communities, a process which of course always retained the formal character of diplomatic traffic.¹³

In the early Empire the Senate might be the scene of the trials of “client” kings,¹⁴ though it was a sign of the future that, when in 23 B.C. Augustus brought Tiridates in person to appear against an embassy from Phraates in the Senate, the latter referred the matter back to him.¹⁵ Under Tiberius the Senate was supposed to receive reports from imperial governors and was consulted on the recruitment and discharge of soldiers, the disposition of the legions and the non-citizens auxiliaries, and on replies to kings.¹⁶ If we may believe Strabo’s contemporary account, the decision to make Cappadocia a province in A.D. 17 was taken jointly by Emperor and Senate.¹⁷ In 19 Tiberius addressed the Senate after granting refuge to Maroboduus, arguing that the king had been a greater threat than Pyrrhus or Antiochus III.¹⁸ Gaius had the Senate vote on the grant of various client kingdoms in 38,¹⁹ and under Claudius it voted that treaties made by the Emperor or his *legati* should be valid as if passed by Senate and People.²⁰ In 49 Parthian ambassadors appeared in the Senate and were answered by a speech from Claudius;²¹ Trajan in 102 sent ambassadors from Decebalus to speak in the Senate and have the peace treaty confirmed, and when the king was reported to have broken it the Senate declared him an enemy.²² Under Hadrian embassies from Vologaeses of Parthia and the Iazyges appeared in the Senate,²³ while Marcus Aurelius formally asked the Senate to vote funds for the war of 178—but, as Dio makes clear, solely as a deliberate gesture to constitutional theory.²⁴ When Dio suggests in the “speech of Maecenas” that embassies from hostile and allied kings or nations should be brought before the Senate, this clearly no longer corresponded to the reality of the early third century: “[F]or, other questions apart, it is appropriate and impressive if the Senate seems to have full powers.”²⁵ However, even in this period, as they had done from the beginning, the emperors would write reports to the Senate on their military and diplomatic dealings.²⁶ In the 160s, when for the first time there were two Augusti, Lucius Verus’ letter of report from Parthia was read in the Senate and accompanied by a speech from Marcus Aurelius.²⁷

These procedures cannot be regarded as having been vehicles of debate or decision, but like the related process of voting military

honours for emperors and others,²⁸ they were by no means irrelevant to the issues discussed here. Even these formal votes, and the orations which accompanied them, will have served to formulate the prevailing notions of what constituted success in military and diplomatic policy, and hence to form those presuppositions which would lie behind future objectives.

The question of such a slowly evolving consensus is all the more vital because, as is beyond question, external policy was in fact created throughout the period within the framework provided by the emperor, his senatorial and equestrian friends, and his “secretarial” staff. It hardly needs stating once again that our evidence provides no hint of any ministries, headquarters, or general staffs established in Rome, or in the Tetrarchic or fourth-century “capitals,” and functioning independently of the emperor. It was only in the late fourth century, and in the West, that *magistri militum* (masters of soldiers) attained a real military independence of the emperors.²⁹

If we look first at the bureaucratic or “secretarial” entourage, as opposed to friends (*amici*) or officers, all our evidence combines to suggest its essentially civilian character. It is not only that there is, for instance, very little trace of *commentarii* (imperial records) or other records relating to military or diplomatic matters, to match those concerned with imperial legal decisions, the foundation of colonies, or the granting of the citizenship or other *beneficia* (favours).³⁰ It is rather that the “secretarial” entourage of the emperors visibly developed to serve civilian purposes: the hearing of embassies and legal cases, replying to *libelli* (petitions), writing letters in Latin and Greek. There was later an *a memoria*, or later still *magister memoriae*, of uncertain function—but never, surprisingly enough, any official concerned with edicts.³¹ The standard assumptions about the functions of the imperial entourage are clearly expressed by Dio in the “speech of Maecenas”: “Moreover, as regards legal cases, letters, and decrees of the cities, petitions of individuals, and whatever else concerns the administration of the Empire, you should have helpers and assistants from among the equestrians.”³² There is no trace here—or elsewhere—of imperial “secretaries” specifically concerned with military matters or foreign affairs. The pattern persists through the period, and beyond. The *Notitia Dignitatum* (List of Offices) lists the four established *magistri* (ministers): of the *memoria*, the *epistolae* (correspondence), the *libelli* (petitions), and the *epistolae graecae* (the Greek correspondence).³³

Any “secretarial” functions in relation to military matters or foreign affairs must then have been performed by these primarily civilian officials. Since, as we shall see, the emperors conducted an extensive exchange of letters and embassies with foreign rulers, it is natural to think first of the *ab epistulis/magister epistolarum* (i.e., the officials in charge of the imperial correspondence), and the (much less often attested) *a legationibus* (in charge of embassies). But, in fact, the little evidence which we have for their role concerns not the reception of embassies or the preparation of letters at court, but the despatch of occasional “secretarial” officials on foreign missions. For instance, it was evidently while he was on such a mission in about 173 that Marcus Aurelius’ *ab epistulis Latinis* (in charge of the Latin correspondence), Tarutienus Paternus, was held and ill-treated by the Cotini, who had promised military collaboration against the Marcomanni.³⁴ Then, at the end of the third century, we find Sicorius Probus, the *magister memoriae*, being sent from Nisibis by Diocletian and Galerius as ambassador to Narses, and making a speech before him with proposals for the regulation of the Tigris frontier.³⁵ The detailed accounts in Ammianus of the reception by the emperor of embassies and letters from foreign rulers, and the despatch of others, show important roles as ambassadors being entrusted to court officials (*praefecti praetorio, comites, tribuni et notarii*), or high-ranking officers (*magistri militum* or *duces*),³⁶ and in one case to a philosopher, Eustathius. As both Ammianus and Libanius make clear, he was selected personally for his oratorical powers, and Eunapius gives a highly coloured account of his success with Shapur II.³⁷ These narratives never show any specific role being performed by the “secretarial” *magistri*, though we do find some Alamannic ambassadors in 364 or 365 being rudely treated by Ursacius, the *magister officiorum* (the master of the offices).³⁸ The reason why court officials play so small a part in the accounts of the reception of embassies is quite simply that the emperors conducted all such negotiations in person through public verbal exchanges which naturally lent themselves to narrative presentation.³⁹ This highly personal and dramatic element was an essential feature of imperial foreign relations, and it was appropriate that Eunapius, in describing negotiations between Julian and the king of the Chamavi, made an explicit comparison with a scene on the stage.⁴⁰

If the emperor possessed any secretarial staff specifically for the conduct of frontier policy or diplomacy, all trace of it has disappeared. As regards advisers whom he could consult, it was normal from the

beginning for one praetorian prefect or both to be in attendance on the emperor,⁴¹ as will have been the tribunes of any praetorian cohorts which were accompanying him. When an emperor was on campaign he could naturally consult the consular or praetorian *legati* of any legions which were in his vicinity, or the equestrian commanders of auxiliary units. Beyond that, in the first three centuries, if he was in Rome, he would consult whichever friends of senatorial or equestrian rank he chose to summon to him; if he was travelling in Italy or the provinces or was on campaign, the choice was inevitably restricted to those whom he had already selected to take with him as his *comites* (travelling companions). Thus, as regards Rome, Tacitus shows that Nero in 63, after receiving some Parthian ambassadors bringing a letter from Vologaeses, and interrogating the centurion who had accompanied them, consulted “among the *principes civitatis*” (the foremost people in the state) as to whether there should be peace or war.⁴² The same procedure is implied in Juvenal’s *Fourth Satire*, 144–49, with Domitian’s *amici* hurrying to the Arx Albana “as if he were about to speak about the Chatti or the wild Sygambri, and as if from distant parts of the earth an urgent letter had come on headlong wing.”

Outside Rome, we see for instance Otho’s advisers debating the prospects of the civil war of 69: five persons give their opinions, including his brother and his praetorian prefect, and the prime role is played by Suetonius Paulinus, on the basis of his established reputation as a military man.⁴³ The advisers whom Marcus Aurelius would consult on both military and civil matters⁴⁴ were with him and Commodus when he died (at Sirmium or Vindobona) in 180. Both Dio and Herodian report that it was against their advice that the young Commodus made peace, abandoned the Marcomannic war, and returned to Rome.⁴⁵ This is a cardinal instance of the essential weakness of the position of the *amici* or *comites*. It lay solely with the emperor whether to have them with him, to consult them on any particular issue, or to take their advice. They had no power base, were nobody’s delegates or representatives, and could not compel him even if they were unanimous.

The other essential feature of the institution of the *consilium* in the early Empire was the absence of any distinction of function (juridical, administrative, political, or military) between its members. In this respect the structural developments of the third and fourth centuries brought some changes, not easily defined. In the century from 250 to

350 the few brief accounts we have of discussions between the emperor and advisers tend to single out persons holding specific military ranks, *praefecti*, *tribuni*, or *duces*;⁴⁶ we have no evidence to indicate whether the *magistri militum* created by Constantine began at once to act as military advisers to the emperor. When Ammianus' narrative is available, for the years from 353 onwards, we have various descriptions of councils of war: before Ctesiphon in 363; when Valentinian was hesitating in 364 between repelling the Alamannic invasion of Gaul and confronting the still vaguely reported coup of Procopius in the East; and later when he was dissuaded by his advisers from marching from Rhine to Danube against the Quadi until he had made peace with the Alamanni and had waited for the spring of 375.⁴⁷ But unfortunately only the account of the council of war held by Valens before Hadrianople in 378 gives any indication of the ranks or offices of the persons consulted: the persons of "various ranks" (*potestates variae*) included Sebastianus, the *magister peditum* (the master of the infantry) who was in favour of immediate action, and Victor, the *magister equitum* (the master of the cavalry), who vainly advised awaiting Gratian and his forces.⁴⁸ The specific accounts of strategic or tactical debates within the imperial entourage are thus both rather deficient in indications of the composition of the entourage (Ammianus notes a few paragraphs later that the praetorian prefect and the *consistoriani* [members of the *consistorium*, which replaced the earlier *consilium*] were at Hadrianople)⁴⁹ and not very clear as to who was actually consulted. A much clearer impression of the military character of the entourage in the fourth century is given by Ammianus' accounts of those moments, in 363 and 364, when the death of an emperor left it with the task of selecting his successor and proclaiming him first to the army on the spot and then to the Empire.⁵⁰ Here too, as in the events leading to Hadrianople, when Gratian's only means of attempting to intervene was a letter carried from Sirmium by the *comes domesticorum* (commander of the household troops), Richomer,⁵¹ we see the fundamental limitations placed by time, space, and delays of communication on the ways in which the Empire could function as a system.

Communication and Responsibility

It is thus clear enough, firstly, that immediate tactical, strategic, and diplomatic decisions by the emperor could only be taken on the spot wherever he and his entourage were; and, secondly, that, whatever advice he received, these decisions were taken by the emperor in

person. That still leaves open the question of responsibility and decision making in relation to military or diplomatic operations conducted in the absence of the emperor. To illustrate the nature of the problem we may take two well-known instances from the first century. The first is the record of his governorship of Moesia in about 60–67 from the inscription of Tiberius Plautius Silvanus Aelianus on his family tomb at Tibur, listing the following activities:⁵²

1. More than 100,000 “Transdanubians” brought across with their wives and children and chiefs or kings (and settled) “so that they paid tribute.”
2. A Sarmatian threat repressed, though part of his army had been withdrawn for operations in Armenia.
3. Previously unknown or hostile kings brought to the bank of the Danube to do reverence to the Roman standards.
4. The return to the kings of the Bastarnae and Rhoxolani of their sons, and (probably) to the king of the Dacians of his brother(s), whom he had captured or taken from their enemies.
5. The acceptance from some of these kings of hostages, by which the peace of the province was confirmed and extended.
6. The deterrence (by military or diplomatic means?) of the king of the Scythians from the siege of Chersonesus, “which lies beyond the Borysthenes.”
7. The despatch of corn to Rome.

The record shows features which characterized Roman frontier operations, in this area above all, throughout the period: the combined employment of force and diplomacy; the steady absorption of barbarians, whether as settlers or soldiers or both;⁵³ and the assumption implicit in the language of the inscription that the Danube and its banks constituted the frontier of the Empire. The inscription reflects and expresses a common stock of conceptions about frontier objectives, not all of which will have needed to be expressed in formal instructions from the emperor. We know, of course, that governors of all types received *mandata* (instructions) from the emperor, covering administrative, legal, and military matters, at least in the sense of the disposition and discipline of troops. The evidence implies, however, that by the end of the second century the *mandata* had ossified into a code which was not specific to particular provinces or circumstances.⁵⁴ There seems, however, to be no evidence as to whether the *mandata* included instructions of a strategic or diplomatic

nature, whether related to the particular time and place or of a general character.⁵⁵ If such instructions were not provided, then we must either accept that there actually was no “imperial” policy for Moesia in this period, or suppose either that Nero wrote subsequently to Aelianus on specific points or that Aelianus will have consulted him before taking major steps. At least one such letter of instruction must have reached Aelianus, on the detachment of some of his troops (the legion V Macedonica) for the Armenian campaign. From parallel cases it is clear that there could have been other letters of instruction, though the inscription, put up under Vespasian, would not emphasize either that or consultation of Nero. For instance, Josephus records that Tiberius wrote to L. Vitellius as governor of Syria, probably in 35, to give him detailed instructions on the resumption of diplomatic relations with Artabanus of Parthia.⁵⁶ Subsequently, Herod Antipas wrote from Galilee to make accusations against Aretas of Nabataea, and Tiberius wrote to Vitellius instructing him to take his army against Aretas. When Vitellius had reached Jerusalem, news came of the death of Tiberius, and he returned to Syria, “no longer being empowered as before since control of affairs had passed to Gaius.”⁵⁷

Precisely the same questions arise with the second instance, the governorship of Agricola in Britain in 78–84. Nothing is said by Tacitus about *mandata* from Vespasian, or about subsequent instructions from him, Titus, or Domitian, or about consultation of them by Agricola. But the statement that he did not enshrine the report of his containment of the Ordovices in a laurelled letter (18) surely implies at least that end-of-campaign reports were normal. Such reports are not mentioned again, however, until after the victory at Mons Graupius, when they were followed by the vote of *triumphalia ornamenta* (triumphal distinctions) and of a statue by the Senate—and a letter of recall from Domitian (39–40). But if there is any truth in Dio’s confused report that Titus had gained an imperatorial acclamation as a result of Agricola’s successes in Britain, there must have been reports to him too.⁵⁸ Tacitus’ account however provides no positive reason to believe that the consolidation of northern Wales, the advance into southern Scotland and up the east coast, the battle of Mons Graupius or, on the diplomatic side, the reception of a fugitive chief from Ireland (24) or the demand for hostages from tribes in Scotland (38) followed any specific imperial plan or instructions. It is a reasonable speculation, but only a speculation, that *Agricola* 23 might reflect a decision by Titus that Agricola should halt on the Forth-Clyde line, then reversed by Domitian.⁵⁹ The recall of Agricola,

combined with the very clear archaeological evidence for the establishment of the legionary fortress at Inchtuthil, perhaps in 84, and its systematic dismantlement in about 87, along with the withdrawal of the *legio II Adiutrix* perhaps in the same year, and its transference to Moesia,⁶⁰ might suggest that imperial “policy” could often consist of allowing imperial governors to follow their own presumptions until external factors, a major crisis or their own excessive activity, compelled intervention. Alternatively, intervention might follow more quickly, as we see in the case of Corbulo as *legatus* of the lower Rhine army in 47. The Chauci stirred, and Corbulo moved against them, apparently reporting his action to Rome. While he was building a camp in enemy territory, a letter arrived from Claudius ordering an end to operations and a withdrawal back across the Rhine.⁶¹ If the governor did not write to the Emperor, the equestrian procurator might, as we see in the well-known case of Classicianus’ report to Nero from Britain, and the mission of Polyclitus (*Ann.* 14, 38–39).

Alternatively, a governor might write to the emperor to request his instructions before taking action. So, for instance, Domitius Marsianus, the *legatus* of Syria, wrote to Claudius to report that Agrippa I was strengthening the walls of Jerusalem, and evoked a letter from the Emperor to the king telling him to stop.⁶² Similarly, Caesennius Paetus, as a *legatus* of Syria in about 72, reported to Vespasian that Antiochus of Commagene was conspiring with Vologaeses of Parthia and received instructions to invade the kingdom and bring royal rule to an end.⁶³

It is easy to take such correspondence for granted, as we do the communications between Pliny in Bithynia and Trajan in Rome. But it is essential to emphasize its limitations as a decision-making procedure. First, there were the delays in time. There is no evidence that the Empire possessed any signalling procedure capable of transmitting complex messages (or indeed any long-distance signalling procedure at all). If, in fact, Augustus ever established relays of runners for carrying messages (which would have been prohibitively expensive in manpower if widely used), this procedure was quickly replaced by a system whereby messengers travelled the entire distance, and could be questioned for further information on arrival.⁶⁴ The system relied on the use of *diplomata* (permits) to requisition horses or *vehicula* (carriages), and later on the relays of horses available at the posting stations (*mansiones*). Since everything

depended on the urgency of the situation and the physical resilience of the messengers (not to speak of the efficiency and co-operativeness of the persons supplying horses or vehicles), all that is really certain is that reports of exceptionally fast journeys over a few days by highly motivated individuals can be no guide to normal speeds; and that the speeds actually achieved must have dropped in proportion to the length of the journeys undertaken. For the relatively urgent messages with which we are concerned, the truth should lie somewhere between the 50 Roman miles per day estimated by Ramsay as typical⁶⁵ and Procopius' assumption, relating to the developed system of the late Empire, that a messenger could cover ten times the normal daily distance for a traveller in a day, that is, about 200 miles.⁶⁶ On that basis messengers going by land from Antioch to Rome, about 3,000 miles, are not likely to have taken less than a month, with a similar period for the return journey. Much faster journeys were possible by sea, of course—for instance, nine days from Puteoli to Alexandria.⁶⁷ But even where sea communications were relevant, as between Rome and Syria, they were acutely unreliable: the messengers bringing a threatening letter from Gaius to Petronius, a *legatus* of Syria, were storm-bound for three months, and arrived twenty-seven days after later messengers carrying the news of Gaius' death.⁶⁸ Moreover sea travel by official passengers or groups (like the escort which took a whole winter to bring Paul and other prisoners from Judaea to Rome) depended on the availability of trading ships. Even emperors occasionally travelled on merchant ships, and there is no clear evidence of the regular use of the imperial navy for transporting messengers.⁶⁹ In this connection we may note the evidence of *Dig.* 45, 1, 122, 1, of a nautical loan contract which allowed 200 days for a round trip from Berytus to Brundisium and back.

Thus, with the partial exception of the Rome-Alexandria voyage, the Mediterranean did not provide a medium of speedy and reliable internal communications for the Empire; the official voyages envisaged in the *Imperatoris Augusti Itinerarium Maritimum*⁷⁰ were coastal or went from island to island. So the communications with which we are concerned depended on the use of animal power on land, and all the more so after it became clear that the three key frontiers were those of the Euphrates, Danube, and Rhine. The mere fact of delay, in any case common to the Empire and its neighbours, and inbuilt into the economic and social fabric of the ancient world, did not of course prohibit consultation on military matters, any more

than it prevented the constant resort of provincial embassies to the emperor, or correspondence on other matters between emperors and officials, in which intervals of several months between the composition of an imperial letter or edict and its receipt or promulgation were common.⁷¹ Indeed it is clear that in diplomatic traffic at least it was possible to tolerate delays far greater than those strictly imposed by the conditions of travel: in 356 Constantius and Julian wrote to the praetorian prefect to say that no Roman emissary on his way to Axum or the Homeritae should remain in Alexandria for more than a year or draw rations there after that time.⁷² Nor would the slowness of travel, especially by large bodies of men, affect those operations where the initiative lay in Roman hands. Thus for the invasion of Britain in 43 it was possible to concentrate not only three legions from the Rhine but one from Pannonia, which must have involved a march of two to three months to the Channel.⁷³ But the effect of distance and delay must either have been to allow considerable latitude to local commanders at least in the medium term, or alternatively to paralyse significant initiatives or responses while the lengthy process of consultation was carried out. This fact could on occasion be put to good effect, as in the anecdote recorded by Petrus Patricius of a governor of Moesia Inferior under Gordian III telling a delegation of Carpi that he would consult the emperor about their demands for a subvention, and that they should return after four months to hear the answer.⁷⁴

The Concentration of Strategic Decision Making

In a different political system the effect of these irremovable limitations on communication might have been a diffusion of political and military power and hence of strategic and diplomatic initiative and responsibility. But in fact, as is clear, the opposite development occurred, and the emperors tended to concentrate the direction of military affairs more and more definitely in their own hands. In the 370s, for instance, we find the *duces* on the Danube telling the Goths that they cannot let them cross the Danube without the Emperor's permission.⁷⁵ Valens himself, on receiving the news of the threat to Thrace, sent emissaries to settle the Armenian question and hastened back from the Persian front to meet his death at Hadrianople.⁷⁶

From the very beginning, from Augustus' wars in Spain in 27–4 B.C. onwards, the notion that direct military command was an essential imperial function was present and was of great importance.

But in the first century it was still possible, as the operations of Corbulo in Armenia show, for major campaigning to be conducted in the absence of the emperor. Subsequently that ceased to be so, in either offensive or defensive warfare, and the consequences were of the greatest importance for the evolving structure of imperial rule. Why this evolution took place is not a question which allows any simple answer. But some factors are clear. The first is that the fact that the Empire was a monarchy was immediately noticed and acted upon by foreign kings and rulers, some of them at immense distances. There thus begun at once that traffic in embassies, fugitive princes, hostages, letters, gifts, and (from the emperor) the bestowal of crowns, which was one of the embodiments of the emperor's supremacy and was to be one of the most important functions of the Byzantine emperors.⁷⁷ It is necessary to stress that this very personal and monarchical element is strongly emphasized in the actual sentence structures of the relevant part of Augustus' *Res Gestae*: "To me from India ... asking for our friendship ... to me as supplicants these fled ... to me the King of the Parthians ... from me ... the peoples of the Parthians and of the Medes" (*Ad me ex India ... nostram amicitiam appetiverunt ... ad me supplices confugerunt ... ad me rex Parthorum ... a me gentes Parthorum et Medorum*) (31–33). Several passages in Strabo's *Geography* offer confirmation of Augustus' claims, for instance that on the British chiefs who had gained the friendship of the emperor by embassies and diplomacy and had made offerings on the Capitol;⁷⁸ or the embassy from a king in India which (as Strabo describes) Nicolaus of Damascus encountered in Antioch on its way to Augustus. The three ambassadors who had survived the journey were carrying a letter in Greek in which Poros described himself as king over 600 other kings and offered any collaboration which Augustus required: with the letter came gifts, borne by eight slaves, naked except for scented loincloths, namely, a freak, some large snakes, a serpent ten cubits in length, a turtle three cubits long, and a partridge larger than a vulture.⁷⁹ This embassy in fact reached Augustus in Samos in the winter of 20/19 B.C.;⁸⁰ and it had been there also, in the previous winter, that an Ethiopian embassy had appeared before him. The circumstances, again described by Strabo, are of considerable significance. When in 24–22 B.C. Ethiopian forces attacked the fort of Primis (Qaṣr Ibrīm), the prefect of Egypt, Petronius, reinforced it in time, and when an Ethiopian embassy arrived told them to go to Augustus:⁸¹

When they said that they did not know who Caesar was or how they were to reach him, he provided them with an escort. They travelled to

Samos where Caesar was, as he intended to go on to Syria and to send Tiberius into Armenia. They gained everything for which they asked, and he released them also from the tributes which he had imposed.

The diplomatic and military role in the East delegated by Augustus to Tiberius in person was in fact highly significant for the future. None the less, it is conceivable that if the Empire could have achieved overall the secure dominance momentarily demonstrated on both the eastern and Nubian fronts in the late 20s B.C., its frontier and diplomatic policy might indeed have been directed from Rome or wherever in the Mediterranean the emperor happened to be. Such a state of affairs was almost secured in the middle of the second century, when Appian gives his eye-witness report of the conduct of diplomacy by Antoninus Pius.⁸²

The emperors, in addition to the original provinces, have added some further areas to their rule and have suppressed some which broke away. In general, possessing by good government the most important parts of land and sea, they prefer to preserve their empire rather than extend it indefinitely to poor and profitless barbarian peoples. I have seen embassies from some of these in Rome offering themselves as subjects, and the Emperor refusing them, on the grounds that they would be of no use to him. For other peoples, limitless in number, the emperors appoint the kings, not requiring them for the Empire. On some of the provinces they spend more than they receive, thinking it shameful to give them up even though they are loss-making. They surround the empire with a circle of great camps and guard so great an area of land and sea like an estate.

It was of Antoninus Pius also that Fronto, in the course of a speech of congratulation on the completion of a war in Britain “declared that although he had committed the conduct of the campaign to others, while sitting at home himself in the Palace in Rome, yet like the helmsman at the tiller of a ship of war, the glory of the whole navigation and voyage belonged to him.”⁸³ Although the theme of Pius’ control by correspondence from the centre reappears both in Aristides’ *Roman Oration* (31–33) and in the *Historia Augusta*,⁸⁴ the element of special pleading on Fronto’s part is evident. Even in the first century it had been only those emperors, such as Tiberius or Vespasian, who enjoyed an already established military reputation, who could afford to lead no war of conquest. It does not need demonstration that Claudius’ invasion of Britain, lavishly celebrated in Rome and throughout the Empire, arose at least in part from the

opposite case; and the fact that Pliny in his *Panegyric* can refer to no significant military achievements of Trajan before his accession surely has some relevance to the Dacian and Parthian wars which he led. Then, after the lull of Hadrian's and Antoninus Pius' reigns, we find that it is assumed that all major wars, whether defensive or offensive, are implicitly held to require the presence of the—or an—emperor. Though the gradually growing predominance of defensive warfare is undeniable, the ideal of conquest was not wholly abandoned. We need not disbelieve the *Historia Augusta's* claim that Marcus eventually intended to create two new provinces, Marcomannia and Sarmatia, beyond the Danube;⁸⁵ according to Herodian Severus spontaneously chose to undertake the British expedition of 208–11, as a training for Caracalla and Geta;⁸⁶ and above all the extension of provincial territory to the Tigris, and at times beyond, meant—as Dio saw—a wholly new strategic commitment whose consequences for the Empire were incalculable. Whether or not the overthrow of the Parthian Empire by the new Persian dynasty of the Sassanids was one of those consequences, Herodian's account (6, 2–3) of Roman reactions in the 220s and 230s shows very clearly how rigid were the assumptions which now prevailed as to the need for the imperial presence on all major campaigns. Letters came from the governors of Syria and Mesopotamia to say that Artaxerxes (Ardashir) was threatening the whole eastern empire. Severus Alexander consulted with his *amici* and sent an embassy with a letter warning Artaxerxes off; when this was ineffective, and the governors of the eastern provinces “were calling for him,” Alexander marched via the Danubian provinces to Antioch. After further diplomatic exchanges, he mounted a triple invasion of Armenia and Mesopotamia. He was back in Antioch, probably over the winter of 232/3, when messengers brought news of German invasions across the Rhine and Danube, which demanded the presence of Alexander and the troops which he had taken east with him. The force of these reports was intensified by the reactions of those soldiers who had been transferred from the Danubian provinces. Herodian continues:⁸⁷

Alexander and the advisers who accompanied him were by this time even concerned about Italy, rating the German menace as very different from the Persians. The inhabitants of the eastern territories, separated as they are by a wide stretch of land and sea, hardly hear about Italy. But the Illyrian provinces are a narrow stretch of land that do not occupy much of Roman territory. This makes the Germans practically adjacent neighbours of the Italians. Reluctantly and sadly

(through sheer necessity) Alexander issued the proclamation of an expedition.

However vague and confused Herodian may be, it is a fact that in this situation Alexander felt himself compelled to undertake a march of more than 2,000 miles, which cannot have taken less than about five months. By 234 he was on the Rhine frontier, where he was murdered at Moguntiacum in 235. He had ruled as sole emperor; but one direct consequence of the assumption that emperors would conduct major campaigns in person was the multiplication of emperors. This is already clear, for instance, in 260: when Valerian was captured by Shapur I in Mesopotamia, his son Gallienus, as joint *Augustus*, was conducting campaigns in northern Italy, and his grandson Saloninus, with the title of “Caesar,” was commanding the Rhine frontier from Cologne. Precisely such necessities led to the formation of the Tetrarchy and then to the successive semi-dynastic combinations of emperors which characterized the fourth century. According to Zosimus, for instance, it was the existence of simultaneous threats to the Empire on several fronts which induced Constantius to appoint his cousin Julian as *Caesar* in 355 and send him to Gaul.⁸⁸

It had already been established long before that an emperor, once in command on a particular front, took direct tactical and strategic command of it, fighting battles and determining the geographical and physical character of frontier installations. For instance, we owe our only precise literary reference to the pushing forward of the German frontier in 83 to Frontinus:⁸⁹

Imperator Caesar Domitianus Augustus—when the Germans, in accordance with their usual custom, kept emerging from woodland pastures and unsuspected hiding places to attack our men and then finding a safe refuge in the depths of the forest—by (constructing) *limites* along a stretch of one hundred twenty miles, not only changed the nature of the war, but brought his enemies beneath his sway, by uncovering their hiding places.

The question of whether he means to say that Domitian drove roads directly into enemy territory⁹⁰ or constructed *limites* (roads) laterally over a distance of 120 miles⁹¹ is not as significant for present purposes as the fact that Frontinus represents this as a strategic choice made by the Emperor in person. He similarly attributes to Domitian choices of other sorts: the ruse by which he set out from Rome on the pretence of conducting a census in Gaul; a tactical device used in battle against the Chatti; and the payment of compensation for land on which

castella (forts) were built during the war.⁹² Again, to give only isolated examples, the *Historia Augusta* attributes to the moment of Hadrian's visit to Britain in 121/2 his building of the Wall "to separate the barbarians and the Romans."⁹³ Dio describes Caracalla seeing to the siting of forts and settlements on his German campaign of 213,⁹⁴ while Ammianus mentions the fortification of Circesium by Diocletian and details the major programme of military construction along the Rhine undertaken by Valentinian in 369 onwards.⁹⁵ J. J. Wilkes has drawn attention to the fact that inscriptions increasingly advertise the responsibility of emperors for the construction of defensive works along or near the frontiers: "[F]ollowing the subjugation and control of the Franks through the excellence of Constantine, the *castrum* (fort) of the *Divitenses* was constructed in their territory in the presence of the Emperor himself."⁹⁶

Direct tactical command necessarily brought with it the direct management of diplomatic contacts, which would otherwise have been handled, at least in the first instance, by provincial governors, or later *duces*, *comites*, or *magistri*. Contacts with the Parthian and, later, Persian kings were always conducted by emissaries, who would speak before the emperor or king in person; Augustus' grandson Gaius might meet the king of the Parthians on the Euphrates,⁹⁷ but the only occasion on which emperor and king came face to face was the capture of Valerian. With lesser peoples the emperor might actually confront their kings in person, as Trajan did with a succession of kings and dynasts on his Parthian campaigns.⁹⁸ So too Ammianus offers a remarkable description of Valentinian negotiating from a boat on the Rhine with Macrianus, the king of the Alamanni, who was standing on the bank.⁹⁹

Thus when Commodus rejected the advice of his *comites* to continue the Marcomannic war in 180 the mechanism of decision was that he received an embassy from the Marcomanni and Quadi and made peace with them on the following terms: the return of prisoners and deserters; the provision of a fixed quantity of corn each year; the supplying of weapons and of 13,000 soldiers from the Quadi and less from the Marcomanni; the restriction of their assemblies to once a month, in the presence of a Roman centurion; and no attacks on the Iazyges, Buri, or Vandals. In return he withdrew the forts placed in their territory. Comparable terms were granted to an embassy from the Buri on the borders of Dacia, with the additional provision that they should leave an uninhabited zone forty stades wide along the

frontier.¹⁰⁰

The close combination of military and diplomatic functions, and the personal management of both by the emperor, appear even more clearly in Dexippus' notable description of Aurelian's negotiations with the Juthungi in Pannonia in 270 or 271. He had defeated them and driven them back to the Danube and now proposed to receive an embassy. To instil the due measure of fear (which seemed to be lacking), he received them dressed in his purple cloak, seated on a tribunal, with his officers on horseback about him and the army on parade. When given permission to speak, the ambassadors addressed him through an interpreter and represented themselves as willing to make peace from a position of strength. The Emperor made a speech in reply, contemptuously rejecting their demands.¹⁰¹

Information and Conceptual Frameworks

Within the few years before his death in 275 Aurelian had marched east and in two campaigns destroyed the brief "empire" of Palmyra, and then west and brought to an end the Imperium Galliarum. The Empire was thus substantially restored, but without the territories beyond the upper Rhine, and without Dacia, definitely abandoned perhaps in 271. Aurelian thus represents one of the extreme examples of the direct control of military operations by emperors and of the sheer extent of the marches undertaken by those of the third and fourth centuries—and the last example of one who carried this burden without at least one co-emperor. But his strategic choices may also, as we shall see below, reflect one set of presuppositions on the part of educated inhabitants of the Empire as to the shape and strategic character of the Roman world.

These general presuppositions—not necessarily unanimous, as Dio's criticism of Severus shows—are of crucial importance precisely because of what seems on our evidence to have been the relative lack of short- or medium-term information on peoples and geographical features beyond the Empire. Three interlinked factors are involved here: the means by which information could be obtained; the forms in which it could be presented; and the conceptual frameworks within which it could be used to produce decisions about frontier policy. It will be obvious that these are immense topics, as to which only a few suggestions and items of evidence can be presented here.

First, then, there seem to be relatively few cases, all in the early empire, and all concerned with prospective Roman expeditions, where

long-distance missions were sent to explore enemy territory for military purposes. Augustus despatched Dionysius of Charax to the East “to write an account of everything” (*ad commentanda omnia*) in advance of Gaius Caesar’s expedition.¹⁰² More detail is reported of the party of praetorians under a tribune which was sent by Nero to Ethiopia with a view to an expedition there. Their report described the flora and fauna of the region, the political structure of the kingdom, and the size of the army. More specifically, they gave the total distance between Syene and Meroe and the length of the stages from town to town.¹⁰³

This last was of course a crucial question, whether it related to bodies of troops marching by land or to fleets moving along a coastline. Information on these points is a conspicuous feature of the *Periplus of the Euxine* (*The Voyage round the Black Sea*) sent to Hadrian by Arrian while he was governor of Cappadocia in 131/2.¹⁰⁴ Only the first part (chaps. 1–11) describes an actual voyage by Arrian as governor, from Trapezus to Sebastopolis, the last auxiliary post on the east coast of the Euxine. He then adds a detailed guide to the coasting voyage from Byzantium to Trapezus, thus outside his province (12–16). At this point (17) Arrian writes: “Since I have heard of the death of Cotys, king of the Cimmerian Bosphorus, I have taken the trouble to describe to you the voyage as far as the Bosphorus, so that if you are considering matters relating to the Bosphorus you may be in a position to do so without being ignorant of the voyage there.” The work is therefore completed (18–25) with a full description of the voyage round the north and west coasts from Sebastopolis to Byzantium, with indications of distances and the capacity of the harbours.

This is not, of course, an example of an exploratory expedition. But the information is offered for the same purpose as that gained by the first-century expeditions, as a guide to movement in an area where intervention might be required. The particular feature of the core of information provided—the names of stopping places and the distances between them—was that it could either be presented in literary form or be tabulated in the form of lists following particular routes or represented schematically on a map which did not have to be in proper topographical scale or proportion. So, for instance, a large number of the major sea and land routes could be tabulated verbally in the *Itinerarium Antonini*. One section (123, 8–147. I) lists the stages of the key route from Rome to Antioch via the Balkans and Asia Minor, endlessly traversed by emperors, and another (217, 5–231, 3)

gives what may have been Caracalla's route along the Danube in 214. The listing of the legions in their long-established camps on the Danube may suggest a military purpose, as does the connection, proposed by D. van Berchem, with the *Historia Augusta's* report of Severus Alexander's procedure for announcing in advance his route from Rome "to the barbarian frontiers" (*ad fines barbaricos*).¹⁰⁵

Such tabulations, essential for any movements within the Empire, whether of troops, the imperial entourage, or both, could also be extended outside the Empire if the relevant information was available. We can see an example in the *Parthian Stations* of Isidorus of Charax, which describes the major routes through the Parthian Empire as far as Arachosia.¹⁰⁶ In the second century the *Geographia* of Ptolemy, extending as far as India, grouped place-names by areas and located them by latitude and longitude. The absence of any sequential listing by routes must indicate that it could not have been intended for practical purposes, military or otherwise. Nor is it certain whether actual maps accompanied the text.¹⁰⁷ For a schematic map incorporating practical information we must of course look to the *Tabula Peutingeriana*, generally accepted as going back to a map of the late Roman period (and emphasizing Rome, Constantinople, and Antioch), which may hypothetically derive in part from earlier models, even from the map of Agrippa.¹⁰⁸ The original was designed functionally in two senses: to be used in roll form, and to indicate land routes (but not sea routes) schematically over the area from the Atlantic to Central Asia, marking distances, basic geographical features, towns, and types of accommodation. There is nothing strictly to prove the official character of the original, and nothing even to suggest a military function. But a fragment of a comparable map—offering a schematic representation of a route round the Euxine—was found on the cover of a soldier's shield from Dura-Europos. This too gives essentially a sequence of places and distances; if conceived of as giving a visual impression of the actual topographical relationships of the places, it would be wholly misleading.¹⁰⁹

We need not doubt that itineraries, whether in the form of sequential lists of places or of schematic maps, could be used for military movements within the Empire and (where towns, roads, and information about them existed) outside it. Vegetius indeed advises that itineraries should be issued for all troop movements showing distances, types of roads, short-cuts, stopping places, mountains, and rivers. But, writing in an era of defensive warfare (probably under

Theodosius I), he assumes that such movements will have taken place through existing Roman provinces—“so much so that the more careful generals are claimed to have had the *itineraria* of provinces where they needed to operate not merely listed but also pictured.”¹¹⁰

Visual representation thus seems to have been secondary to schematic, or even purely verbal, tabulation of towns and stages. We cannot, unfortunately, form any clear conception of the map (?)—*geographia*—in the form of a tablet (*pinakion*) and containing *diagrammata* (plans?), for which Julian wrote to thank Alypius, who may then have been *vicarius* of the provinces of Britain.¹¹¹ That suggests the possibility that office-holders could use visual means to inform emperors—though the vicariate was a civil, not a military, office, and we do not know what region the map represented. But it still leaves a more fundamental question: if the Roman maps of which we can form any clear conception did not provide a realistic projection of land-masses (or still less of seas or the mutual relations of islands in seas), was it in principle possible for an emperor, or anyone else, to conceive of the overall military situation in global strategic terms, or to consider for instance whether a frontier on the Elbe might have provided shorter lines of communication than one on the Rhine?¹¹² All that can be said is that our explicit evidence does not seem to provide any clear instances of the use of maps in strategic or tactical planning as opposed to subsequent representations of the terrain of campaigns.¹¹³

The clearest example of the latter is provided by the *situs depicti* (maps?) which Corbulo sent back from the Caucasus, and which according to Pliny the Elder misdescribed the Caucasian Gates (the Pass of Dariel) as the “Caspian Gates.”¹¹⁴ Pliny’s *Natural History* indeed lists a number of occasions on which increased geographical knowledge had resulted from rather than preceded military operations. Thus Aelius Gallus’ Arabian expedition—precisely a case where routes and distances had *not* been explored in advance—produced a report on the population and economy of Arabia Felix (6, 160–61); the Baltic was first explored by a Roman fleet under Augustus (2, 167); Suetonius Paulinus reported on the Atlas region and beyond after his operations in 41/2 (5, 11–15); and Corbulo and Licinius Mucianus managed to produce divergent views on the source of the Euphrates (5, 83).

Of course we have a number of geographical and ethnographical descriptions of large areas beyond the Empire, for instance, Strabo on

Germany,¹¹⁵ Pliny the Elder on the Parthian Empire,¹¹⁶ Ammianus on the Persian Empire¹¹⁷ or, perhaps the most significant of all, Tacitus' *Germania*. Its importance for us lies in the combination of its relevance to military relations between the Empire and the German tribes ("so long is the conquest of Germania taking," 37, 2) with its dependence on earlier literary sources, only occasionally supplemented by contemporary episodes (8: Veleđa; 29: the *agri decumates*; 33: massacre of Bructeri; 37: recent campaigns). Indeed all the writers mentioned depended on literary sources of varying dates: Pliny finds it necessary to explain that what he says on central Asia will differ from what has been said by earlier writers, since he has gained information "from the recent operations conducted by Domitius Corbulo and from kings sent thence as suppliants or royal children as hostages."¹¹⁸

In default of any formal archives relating to external policy, for which we have no specific evidence at all, or of an active pursuit of intelligence, which seems to have been operated only (at best) when a Roman expedition was in prospect, any supplementation of the common stock of notions about the world beyond the frontiers would thus tend to come either in the wake of military operations or as a product of the ceaseless diplomatic traffic of suppliants, hostages, and embassies. Thus under Claudius an embassy came from a king in Ceylon and delivered information about the location, geography, and topography of the island.¹¹⁹ Round the fringes of the Empire itself such diplomatic traffic was intense, and its scale and importance cannot be explored here. Apart from examples already given,¹²⁰ one of the papyri from Dura-Europos (*P. Dura* 60B) happens to reveal a Parthian envoy on his way to (or from) Severus and Caracalla in about 208. Similarly Pliny sent on to Trajan in Rome a letter carrier (*tabellarius*) from king Sauromates of the Bosphorus, giving him a *diploma* (a permit to requisition transport) on the grounds that the king had written to say that the information which the man carried was urgent. An embassy from the Bosphorus, en route simultaneously, was pursuing a more leisurely course.¹²¹ It is important to stress that the requests, accusations, self-justifications, or reports which flowed into the emperor through such diplomatic traffic all emanated from interested parties attempting to gain the help or protection of the emperor. The more quickly the emperor felt obliged to act, the more limited would be the choices open to him. In the early Empire a full examination of rights and wrongs might involve the conflicting parties, or their emissaries, travelling to appear before the emperor in Rome. So for instance the complex issues and mutual accusations as

between Herod of Judaea and Aretas of Nabataea, in which either or both kings might have been deposed, were finally resolved in a hearing before Augustus in about 8–7 B.C. at which Nicolaus of Damascus spoke.¹²² By the fourth century the more characteristic pattern was the direct control of military and diplomatic affairs by the emperor in the field, which has already been discussed.

Thus the burden of proof must rest on those who would claim that emperors both could and did draw on systematic sources of up-to-date information from beyond the frontiers. Caracalla could write to the Senate in about 215 to say that strife between the two claimants to the Parthian throne was of great advantage to the Roman state;¹²³ but neither he nor his successors, Elagabal and Severus Alexander, had any means of anticipating that the Parthian Empire was about to collapse and that a new Persian dynasty would arise which would fundamentally alter the level of conflict on the eastern frontier. Similarly, Julian brushed aside the suggestion made in 362 by his advisers, that he should attack the Goths, saying that he sought “better enemies” (the Persians). It was perhaps at the same moment that he contemptuously told an embassy of Goths to look to arms if they wished to alter the terms of their treaty.¹²⁴ If he in fact anticipated a serious movement on their part, as Eunapius alleges,¹²⁵ he did not act on it, preferring the supposed greater glory of a Persian war. There was no mechanism for securing advance warning of the movements of the Huns in the following years or of their impact on the Goths, until the latter and other peoples living north of the Danube sent embassies in the mid-370s asking to be allowed to cross the river and settle in Roman territory.¹²⁶ The vivid excursus on the Huns with which Ammianus introduces this major event is the first significant account of them in Graeco-Roman literature¹²⁷ and was of course written at least a decade after the disaster of Hadrianople.

Thus what A. Alföldi once called “the moral barrier on Rhine and Danube”¹²⁸ seems to have been an information barrier also. But it was so partly because of one element in the conceptual framework within which the educated inhabitants of the Empire saw their world. There is ample evidence to suggest that after the great expansion of the Augustan period people regarded the Empire as a coherent geographical and strategic entity bounded by the three great rivers: Rhine, Danube, and Euphrates.¹²⁹ A conflict thus arose between that conception and the long tradition and ideology of continuing conquest.¹³⁰ When in Fronto’s words “the *imperium* of the Roman

People was extended by the emperor Trajan beyond the hostile rivers,”¹³¹ Florus could rejoice that the Empire had found its youth again, and Tacitus could complain of the inertia of earlier emperors in terms which strikingly recall the content of the poem on the Dacian war which Pliny’s friend Caninius Rebilus composed in Comum.¹³² Yet the three new provinces beyond the Euphrates could be given up by Hadrian with only relatively mild hostile comment from our sources: according to the *Historia Augusta* he justified this step by quoting the Elder Cato on the difficulty of holding Macedonia as a province.¹³³ It could even be reported that he had also thought of giving up Dacia beyond the Danube and been restrained by his *amici*, who urged him not to betray the Roman citizens who had immigrated to it.¹³⁴

When Appian began writing his *Roman History* under Antoninus Pius, he still thought of the boundaries as Euphrates, Danube and Rhine, with the Upper German territories beyond the Rhine and Dacia as mere additions: “[B]ut going beyond these rivers in places they rule some of the Celts over the Rhine, and the Getae over the Danube, whom they call Dacians.”¹³⁵ The concept of the Empire as a stable defensive system based on an outer ring of fixed camps is clearly present in Aristides’ *Roman Oration* (80–84) and persists in Herodian, writing a century later, when it was rapidly ceasing to be appropriate: “Augustus ... fortified the Empire by hedging it around with major obstacles, rivers and trenches and mountains and deserted areas which were difficult to traverse.”¹³⁶

This concept became out of date in two ways. Dacia had been taken by Trajan, and involvement beyond the Euphrates was resumed, with uncertain results, under Marcus and Verus, and reached a decisive stage under Severus. The subsequent fates of these two areas form an instructive contrast. Dacia was finally abandoned in the early 270s, but our sources barely notice the fact.¹³⁷ Moreover, writers of the later third and fourth centuries again tend to treat the Danube as the established frontier of the Empire, with no hint that there had once been a substantial provincial area beyond it.¹³⁸ Not only that, but historians of the fourth century and after—including Eutropius, who had actually recorded the abandonment of Dacia—describe the treaty by which Jovian gave up Nisibis, Singara, and five districts across the Tigris as a disgrace which had never occurred before in the history of Rome.¹³⁹ The pre-eminence of eastern wars was deeply rooted in Graeco-Roman culture and was concretely embodied in the strategic priorities chosen by emperors. There, but not elsewhere, the view of

Septimius Severus had long triumphed over that of Dio.

Conclusion

This sketch of some issues relating to the way frontier and foreign policy was conducted by the imperial monarchy cannot by its nature even suggest firm conclusions. Given the haphazard nature of our literary evidence, arguments from silence must always be fragile. They may, none the less, serve the purpose of preventing the interpretation of archaeological evidence in the light of naive assumptions as to information, communication, and responsibility. Even where archaeological evidence of the alignment of frontiers, the siting of camps, or the building of roads seems clearly to demonstrate the operation of coherent plans based on good geographical knowledge, we must still ask whose knowledge, and whose plans. What this chapter can do, therefore, is to focus attention on some issues and to put forward some tentative propositions which, if they prove on further examination to be valid, will have some relevance to how we understand the Empire as a system, and the choices made within it in relation to other peoples.

1. These choices have to be seen in the light of the culture (in both the broad and the more specific sense) of the Graeco-Roman world, whether this be in the use of historical precedents and models, in the types of training for warfare which the upper class received, or in contrasting attitudes to the northern barbarians and to Parthia or Persia. For what it is worth, it may be noted that the explicitly military literature of the Empire is either concerned to deploy precedents from existing narrative histories, or is tactical rather than strategic in character, or both.¹⁴⁰ The surviving literature from the first four centuries of the Empire provides nothing remotely comparable with the strategic-diplomatic manual which Constantine Porphyrogenitus wrote for his son in about 950.¹⁴¹

2. The types of decision which could be made must have been limited by the character of the information available, both on a longer- and short-term basis. It is perhaps significant that one subject on which our literary sources, at least those of the early Empire, provide relatively clear and concrete information is the number and positioning of the legions (and, to a much lesser extent, the auxiliaries). The transfer of legions from province to province and the raising of new ones were clearly essential elements in the types of strategic decision making open to emperors.¹⁴²

3. The character of the bulk of the short-term information reaching the emperor must have depended on the interests and objectives of persons (mainly individual rulers, or would-be rulers) beyond the Empire, or on the presumptions of governors or military commanders on the frontiers.

4. How the Empire *could* respond to any perceived necessity on the frontiers will have been determined first by the degree of initiative allowed to commanders in the area, and the extent to which they operated within the explicit terms or unspoken general assumptions of any imperial “grand strategy.”

5. In so far as decisions were held to be required at the centre, that is, by the emperor, it is essential to remember the crude fact that the emperor could be aware of nothing beyond the reach of his own eyes except what someone wished or felt obliged to tell him. With all communications made to him we have to recall constantly the controlling factors of space and time, that is, the delays of up to some two months before a messenger could reach him, and up to a further two months for the return journey to the area concerned; and the much longer delays certainly involved in the journeys of ambassadors from beyond the Empire.

6. Even more important, it is essential to envisage the military-diplomatic relations of the Empire not so much in geographical or even ethnographical terms but as networks of relationships partly created by symbolic acts (the sending of hostages, exchanges of gifts, the grant of crowns) and by verbal exchanges, conducted on the Roman side by governors and local commanders, but above all by the emperor in person. It may be worth noting that Gaius gives as the prime example of an obligation valid for a *peregrinus* (non-citizen) the occasion when our emperor (*imperator noster*) formally asks the *princeps* of some foreign people, “do you solemnly promise that there will be peace”? (*pacem futuram spondes?*)¹⁴³

7. In accordance with the long-established traditions of Roman public life the position of emperor was from the beginning both civil and military. It is also clear that those emperors of the first century and a half who had no established military reputation actively sought major campaigns while they were on the throne. Yet a qualitative change seems to occur in the middle of the second century, in terms of which, from then until the end of the fourth, it is assumed that all major campaigns, defensive or offensive, require direct command by the (or an) emperor in person.

8. This assumption led directly to the need for a multiplication of emperors, and thus to the Tetrarchy, the complex co-emperorships of *Augusti* and *Caesares* in the fourth century, and ultimately to the division of the Empire in the fifth.

9. It cannot be specifically proved—and therefore should not be assumed—that an emperor, whether receiving embassies in Rome or replying to messages from provincial governors, or (progressively) taking command in the field himself and confronting barbarian chiefs or delegations or Persian emissaries while on campaign, had access to privileged archives of information in strategic matters, or that he had any advice on which to draw except that provided by the *amici*, *comites*, or *consistoriani* whom he consulted, but by whom he could not be bound.

10. For these reasons the emperor's strategic choices and orders and the replies which he made in formal verbal exchanges with foreign embassies could only be determined by the general values of Graeco-Roman culture, of which he himself was a product. When that culture changed, as with the victory of Christianity, so did some of the values which informed foreign relations; Constantine's letter to Shapur II is perhaps the first symbol of that.

11. Of all the fundamental choices made, the most significant was the occupation of Mesopotamia and the readiness to fight repeated wars for it. Trajan's brief conquest marked not an end but a beginning, and it was here that the ethos of imperialism had its most lasting effects. Plotinus may have been quite misguided (or is it we?) in thinking that if he joined Gordian III's Persian expedition he might make contact with the philosophers not only of Persia but of India.¹⁴⁴ But most emperors also implicitly agreed with Julian that the Persians were the "better enemies."

To illustrate the concrete conditions of imperial rule to which these developments led—and to exhibit the counter-example of an Emperor who did *not* prefer the eastern front—it may be useful in conclusion to sketch the movements and military preoccupations of Valentinian I as portrayed in Ammianus' narrative. He came to the throne in 364 by the choice of the imperial entourage on the march through Bithynia and, once he had reached Constantinople, appointed his brother Valens as joint *Augustus*. The brothers marched west, and at Naissus divided their accompanying *comites* and *magistri*, and then, after moving on to Sirmium, separated, Valentinian going to Milan and Valens back to Constantinople. In Gaul later in the year Valentinian

hesitated between staying to confront an Alamannic invasion and returning to protect Pannonia against the pretender Procopius; he finally followed the view of the majority of his advisers and the pleas of embassies from the Gallic cities and stayed in Gaul (26, 9–13). There he remained for nearly a decade, repeatedly engaged in campaigns on the Rhine, mainly against the Alamanni, writing to the kings of the Burgundii to evoke their aid (28, 5, 10) and making the last crossing of the Rhine by a Roman emperor (29, 4, 1–6). He was building a fort near Basel in 374 when a letter arrived from Petronius Probus, praetorian prefect of Illyricum, reporting raids by the Quadi and Sarmatians on Pannonia. The *notarius* (secretary) Paternianus was sent to investigate and sent back reports to confirm. Valentinian was eager to set out at once on the considerable march to Pannonia (Ammianus elsewhere shows Constantius II at Sirmium as being forty stages' march from Argentorate).¹⁴⁵ But his advisers persuaded him to wait for the spring, when supplies would be available, and to make peace with the Alamanni first. As we saw before (text to nn. 98–99 above), he did so by negotiating from a boat in the Rhine with King Macrianus standing on the bank, and then returned to Trier. In the spring of 375 he marched from Trier to Carnuntum, and then after three months moved to Aquincum, finally settling for the winter at Brigetio (30, 5). There ambassadors from the Quadi appeared and were granted a treaty. But when admitted into the *consistorium*, they were too ready to excuse their previous conduct. The Emperor was enraged, suffered a fit of apoplexy, and died shortly after (30, 6).

The story exemplifies perfectly the constraining factors of time, distance, and information within which an emperor, like anyone else, had to operate. Its ending also illustrates the irreducibly personal character of the combined management of war and diplomacy. We are still a long way from explaining why these responsibilities pressed over more heavily on the emperor in person. But granted the fact of that development over the previous four centuries—the opposite of what we might have presumed in an immense, relatively stable and highly civilized Empire—Valentinian's apoplexy at least is wholly intelligible.

Notes

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Mr. M. H. Crawford's seminar in Cambridge in October 1979. I am grateful for comments and suggestions to Sir Ronald Syme, Professor A. L. F. Rivet, and Professor J. J. Wilkes.

1. Dio 75, 3, 2–3 (Boissevain III, 340).

2. For an early chronology—probably too early—of the composition of the *Roman History*, see F. Millar, *A Study of Cassius Dio* (1964), chap. 2 and pp. 193–94.

3. Dio (n. 1); Nisibis as a *colonia*: Dio 36, 6, 2. For the background, see M. G. Angeli Bertinelli, “I Romani oltre l’Eufrate nel II secolo d. C (le province di Assiria, di Mesopotamia e di Osroene),” *ANRW* II.9.1 (1976), 3; cf. D. L. Kennedy, “Ti. Claudius Subatianus Aquila, ‘First Prefect of Mesopotamia,’” *ZPE* 36 (1979): 255. The exact date of the creation of the two provinces cannot be determined.

4. *P. Oxy.* 1453 = *Sel. Pap.* II, no. 327.

5. Ammianus 25, 9.

6. E. N. Luttwak, *The Grand Strategy of the Roman Empire from the First Century A.D. to the Third* (1976).

7. So J. C. Mann, “Power, Force and the Frontiers of the Empire,” *JRS* 69 (1979): 175. Note also Mann, “The Frontiers of the Principate,” *ANRW* II.1 (1974), 508.

8. Dio 53, 19.

9. Constantine: Eusebius, *VC* 4, 9–13. Eusebius (4, 8) attests the preservation of a copy of the Latin original in Constantine’s own hand, which he reproduces in Greek. See H. Dörries, *Das Selbstzeugnis Kaiser Konstantins* (1954), 48–49, 125–27. Shapur and Constantius: Ammianus 17, 5.

10. Julian 268A–287D.

11. See A. Maricq, “Res Gestae Divi Saporis,” *Syria* 35 (1958): 295. This episode is described in ll. 6–9; Shapur claims that he killed Gordian in battle and that Philip then made peace on payment of a large sum. Zosimus 1, 18–19, reports that Gordian won a victory and was then killed by the troops, instigated by Philip; cf. Eutropius 9, 2, 2–3; Aurelius Victor, *Caes.* 27, 8.

12. For discussions of these and comparable problems, see for instance B. H. Warmington, “Frontier Studies and the History of the Roman Empire—Some Desiderata,” *Actes du IXe Congrès international d’études sur les frontières romaines*, 1972 (1974), 291; A. R. Birley, “Roman Frontiers and Roman Frontier Policy: Some Reflections on

Roman Imperialism,” *Transactions of the Architectural and Archaeological Society of Durham and Northumberland* 3 (1974), 13; G. D. B. Jones, “Concept and Development in Roman Frontiers,” *Bulletin of the John Rylands Library* 61 (1978): 115. See also Mann (n. 7), the essays in D. H. Miller and J. D. Steffen, eds., *The Frontier: Comparative Studies* (1978), and G. W. Bowersock, “The Emperor’s Burden,” *Class. Philol.* 73 (1978): 346.

13. F. Millar, *The Emperor in the Roman World* (1977; 2nd ed., 1992), 343 (henceforth *ERW*).

14. E.g., Antiochus of Commagene, Dio 52, 43; Archelaus of Cappadocia, Dio 57, 17, 3–6; Rhescuporis of Thrace, Tacitus, *Ann.* 2, 67.

15. Dio 53, 33, 1–2.

16. Suetonius, *Tib.* 30; 32.

17. *Geog.* 12, 1, 4 (534).

18. Tacitus, *Ann.* 2, 63.

19. Dio 59, 12, 2.

20. Dio 60, 23, 6. See P. A. Brunt, “Lex de Imperio Vespasiani,” *JRS* 67 (1977): 95, on p. 103.

21. Tacitus, *Ann.* 12, 10–11.

22. Dio 68, 9, 7–10, 1; 10, 3–4.

23. Dio 69, 15, 2.

24. Dio 72, 33, 2.

25. Dio 52, 31, 1.

26. See, e.g., Dio 54, 9, 1 (Augustus to the Senate on foreign policy issues, 20 B.C.); Suetonius, *Calig.* 44; Dio 68, 29, 1–3 (Trajan from Parthia); 77, 12, 3 (Caracalla); 73, 27, 3 (Macrinus, 218).

27. Fronto, *Ad Verum Imp.* 2, 1, 3–4.

28. To take only two examples, note the *triumphalia ornamenta* voted by the Senate to Agricola (Tacitus, *Agric.* 40), and the three statues voted to M. Bassaeus Rufus on the motion of Marcus Aurelius and Commodus, *ILS* 1326.

29. See, e.g., Jones, *LRE*, 174–78.

30. See *ERW*, 259–72. Augustus’ *breviarium*, or summary report (Suetonius, *Aug.* 101), did contain details of how many soldiers were under arms.

31. *ERW*, 252–59.

32. Dio 52, 33, 5.
33. *Not. Dig.*, Or. 19; Occ. 17 (minus the *epistolae graecae*).
34. Dio 71, 12, 3. The *Tabula Banasitana* attests this form of his name, see *JRS* 63 (1973): 86.
35. Petrus Patricius, fr. 14 (*FHG* IV, p. 189).
36. Ammianus 17, 5 and 14; 18, 2, 2 (*tribunus*); 19, 11, 5 (two *tribuni* with interpreters); 25, 7, 7 (praetorian prefect and, probably, *comes rei militaris*); 27, 5, 1 (*magister equitum*); 5 (*magistri*)?; 31, 7, 1 (*magister equitum*).
37. Ammianus 17, 5, 15: *Ut opifex suadendi* (as a master of persuasion); Libanius, *Ep.* 331; Eunapius, *Vit. Soph.* 365 (also noting that high military or civilian officials were normally sent on embassies).
38. Ammianus 26, 5, 7.
39. See further text to nn. 100–101.
40. Eunapius, *Fr.* 12 (*FHG* IV, pp. 17–19).
41. *ERW*, 127.
42. *Ann.* 15, 24–25.
43. Tacitus, *Hist.* 2, 31–33.
44. *HA*, v. *M. Ant.* 22. 3.
45. Dio 73, 1, 2; Herodian I, 6. For the treaty negotiations, see text to n. 101.
46. *ERW*, 125–22.
47. Ammianus 24, 7, 1; 26, 5, 8–13; 30, 3; (see further below). Note also Eunapius, *Fr.* 42 (*FGH* IV, pp. 31–33) on the discussion of the Goths' request to be allowed across the Danube.
48. Ammianus 31, 12, 5–7. For Sebastianus' rank, *PLRE* I, Sebasianus 2.
49. 31, 12, 10.
50. 25, 5 (Jovian), see 8, 8–11 (communications to the West); 26, 1–2 (Valentinian).
51. 31, 12, 4.
52. *ILS* 986.
53. I am very grateful to Dr. G. E. M. de Ste. Croix for letting me see in advance app. III. of *The Class Struggle in the Ancient Greek World* (1981), which contains the most complete collection of the evidence on barbarian settlement.

54. *ERW*, 314–17, corrected as regards proconsuls by G. P. Burton, “The Issuing of Mandata to Proconsuls and a New Inscription from Cos,” *ZPE* 21 (1976): 63.

55. Tacitus, *Ann.* 2, 77, implies that the *mandata* given to the *legatus* of Syria concerned his military role, but says nothing of their contents.

56. Josephus, *Ant.* 18, 4, 4 (96). For the date, see Tacitus, *Ann.* 6, 31–37, and Dio 58, 26.

57. Josephus, *Ant.* 18, 5, 1 (115); 5, 3 (120–24).

58. Dio 66, 20, under A.D. 79, and mentioning the fifteenth acclamation, correctly dated to that year, together with the circumnavigation of Britain, which happened in Agricola’s sixth year (83).

59. For this view, S. S. Frere, *Britannia*² (1978), 126–28.

60. See Frere (n. 59), 136–38.

61. Tacitus, *Ann.* 11, 19–20; Dio 61, 30, 4–5 (4).

62. Josephus, *Ant.* 19, 7, 2 (326–27).

63. Josephus, *BJ* 7, 7, 1–3 (219–43).

64. Suetonius, *Aug.* 49.

65. For discussions of the imperial communication system, see W. Riepl, *Das Nachrichtenwesen des Altertums mit besonderer Rücksicht auf die Römer* (1913), 123–240; W. M. Ramsay, “The Speed of the Roman Imperial Post,” *JRS* 15 (1925): 60; M. Amit, “Les moyens de communication et la défense de l’Empire romain,” *Parola del Passato* 20 (1965): 207.

66. Procopius, *Hist. Arc.* 30, cited by Riepl. (n. 65), 186.

67. Pliny, *NH* 19, 3.

68. Josephus, *BJ* 2, 10, 5 (203); *Ant.* 18, 8, 9 (305).

69. C. G. Starr, *The Roman Imperial Navy* (1941), 177–78. See now W. Eck, “Tacitus, *Ann.* 4, 27, 1 und der *cursus publicus* auf der Adria,” *SCI* 13 (1994): 60.

70. [See O. Cuntz, *Itineraria Romana* I (1929).]

71. *ERW* 39, 254.

72. *CTh* 12, 12, 2. Note that Flavius Abinnaeus spent three years escorting back *refugae* or *legati* of the Blemyes (*P. Abinn.* 1).

73. The camp of the *legio IX Hispana* in Pannonia is not known. The march must have meant going either through Noricum and Raetia or

through northern Italy and across the Alps.

74. Petrus Patricius, fr. 8 (*FGH* IV, pp. 186–87). For the governor, Iulius (?) Menophilus, see Barbieri, *Albo senatorio*, no. 1071.

75. Eunapius, *Fr.* 42 (*FGH* IV, p. 31); cf. Zosimus IV, 20, 6.

76. Ammianus 31, 7, 1; 11, 1–2; 12, 1–4; Zosimus IV, 21.

77. See J. Gagé, “L’empereur romain et les rois: politique et protocole,” *Rev. Hist.* 221 (1959): 22.

78. *Geog.* 4, 5, 3 (200).

79. *Geog.* 15, 1, 73 (719) = Jacoby, *FGrH* 90, F. 100.

80. Dio 54, 9, 8–10.

81. *Geog.* 17, 1, 54 (820–21); cf. *JRS* 69 (1979): 127.

82. Appian, *Praef.* 7/25–28.

83. *Pan. Lat.* VIII (Galletier IV), 14, 2, Loeb trans. from *Correspondence of M. Cornelius Fronto* II, 251 (see C. E. V. Nixon and B. S. Rogers, *In Praise of Later Roman Emperors* [1994]: 132–33).

84. *HA*, v. *Ant. Pii* 7, 11–12.

85. *HA*, v. *M. Ant.* 24, 5; cf. 27, 10. See A. Birley, *Marcus Aurelius* (1966), 205–6, and Birley (n. 12), 20–21; cf. A. Mócsy, *Pannonia and Upper Moesia* (1974), 183–86, 193.

86. Herodian 3, 14, 1–2.

87. 6, 7, 4–5.

88. Zosimus 3, 1.

89. *Strat.* 1, 3, 10.

90. So R. Syme, *CAH* XI (1936), 162–63.

91. So H. Schoenberger, *JRS* 59 (1969): 159.

92. *Strat.* 1, 1, 8; 2, 3, 23; 2, 11, 7.

93. *V. Had.* 11, 2.

94. 77, 13, 4 (388–89).

95. Circesium: Ammianus 22, 5, 2. Rhine: 28, 2, 1–6, cf. 30, 7, 6. See H. Schoenberger, *JRS* 69 (1969): 182–86.

96. *CIL* XIII, 8502 = *ILS* 8937; see J. J. Wilkes, “British Anonymity in the Roman Empire,” in D. E. Johnston, ed., *The Saxon Shore* (1977), 76.

97. Velleius 2, 101.

98. Dio 68, 18–19; 21 (Abgar of Osroene, cf. Arrian, *Parth.*, fr. 46*).

99. 30, 3, 4–5.
100. Dio 72, 1–3 (282–84).
101. Jacoby, *FGrH* 100, F. 6; see F. Millar, “P. Herennius Dexippus,” *JRS* 59 (1969): 12, on p. 25 (= chapter 13 in this volume).
102. Pliny, *NH* 6, 141.
103. Pliny, *NH* 6, 181–86; 12, 18–19; Seneca, *NQ* 6, 8, 3–5. See J. Desanges, *Recherches sur l’activité des Méditerranéens aux confins de l’Afrique* (1978), 323–25.
104. See the edition by G. Marengi, *Arriano, Periplo del Ponto Eusino* (1958). Note also H. F. Pelham, “Arrian as Legate of Cappadocia,” in *Essays* (1911), 212, and P. A. Stadter, *Arrian of Nicomedia* (1980), 32–41. An English translation and discussion of this extremely important text for frontier studies would be of great value.
105. *HA*, v. *Sev. Alex.* 45, 2. See D. van Berchem, “L’annone militaire dans l’Empire romain du III^e siècle,” *Mém. Soc. Nat. Ant. Fr.*, 8e ser., 10 (1937): 117–201; cf. *ERW*, 31–33. For all questions relating to *itineraria* and maps, note the invaluable discussions in A. L. F. Rivet and Colin Smith, *The Place-Names of Roman Britain* (1979); for the *Itin. Ant.*, pp. 150–54.
106. For the text, see *Geog. Gr. Min.*, 1, 244–55. See A. S. Nodelman, “A Preliminary History of Characene,” *Berytus* 13 (1960): 83, on pp. 107–8, arguing against a possible identification with Dionysius of Charax, and suggesting a date in the later first century.
107. See *RE Supp.* X (1965), cols. 680–833, s.v. “Klaudios Ptolemaios”; Rivet and Smith (n. 105), 103–31.
108. See the invaluable facsimile edition, with accompanying volume of discussion and commentary, by E. Weber, *Tabula Peutingeriana: Codex Vindobonensis 324. Vollständige Faksimile-Ausgabe im Originalformat I–II* (1976). For the functional character of the map, see esp. A. Levi and M. Levi, *Itineraria Picta: contributo allo studio della Tabula Peutingeriana* (1967).
109. F. Cumont, “Fragment de bouclier portant une liste d’étapes,” *Syria* 6 (1925): 1; *Fouilles de Dura-Europos* (1926), 323–24.
110. Vegetius, *Epit. rei mil.* 3, 6. See T. D. Barnes, “The Date of Vegetius,” *Phoenix* 33 (1979): 254. The remarkable description of the arrangements for the march of an army unit in Ambrose, *In Psalmum CXVIII*, Sermo 5, 2 (Migne, *PL* 15, 1250–51), also refers to movements through provincial territory. I owe this reference to G. M. Koepfel, “A Military *Itinerarium* on the Column of Trajan: Scene L,” *Röm. Mitt.* 87

(1980): 302, on p. 305, n. 24.

111. Julian, *Ep.* 30 Hertlein; 10 Bidez-Cumont; 7. See Rivet and Smith (n. 105), 71.

112. This is, as need hardly be said, the theory put forward in the classic chapter of R. Syme, "The Northern Frontiers under Augustus," *CAH* X, 340–81, esp. 353–54. For a different view, P. A. Brunt, *JRS* 53 (1963): 172–73.

113. This conclusion seems to me to emerge from the survey by R. K. Sherck, "Roman Geographical Exploration and Military Maps," *ANRW* II.1 (1974), 534. Note also the suggestion by Rivet and Smith (n. 105), 196–97, that for North Britain the Ravenna Cosmographer was using a map with ethnic and place names revised as a result of Severus' campaigns of 208–11.

114. Pliny, *NH* 6, 40.

115. *Geog.* 7, 1, 2–3, 1 (290–95).

116. *NH* 6, 112–41.

117. 23, 6.

118. *NH* 6, 23.

119. *NH* 6, 84–88.

120. See the second and the immediately preceding sections above.

121. Pliny, *Ep.* 10, 63–64, 67.

122. Josephus, *Ant.* 16, 10, 8–9 (335–55).

123. Dio 77, 12, 2a–3 (387).

124. Ammianus 22, 7, 8; Libanius, *Or.* 12, 78.

125. Eunapius, *Fr.* 22. 1 (*FHG* IV, p. 23).

126. Ammianus 31, 1–4; Eunapius, *Fr.* 42 (*FHG* IV, pp. 31–33).

127. 31, 2: cf. Eunapius, *Fr.* 45 (*FHG* IV, p. 30); Zosimus 4, 20.

128. *The Congress of Roman Frontier Studies, 1949*, ed. E. Birley (1952), 1.

129. See, e.g., Josephus, *BJ* 2, 16, 4 (363; 377); Statius, *Silv.* 5, 1, 89–90; Tacitus, *Ann.* 1, 9, 4, 5. For the function of the Euphrates as a symbolic frontier, see, e.g., Strabo 16, 1, 28 (748); Velleius 2, 101; Suetonius, *Cal.* 14; Josephus, *BJ* 7, 5, 2 (105); *Ant.* 18, 4, 5, (101–2); Dio 59, 27, 3. For the Danube, see text to nn. 52–55 above.

130. For a good collection of the evidence, see P. A. Brunt, "Laus Imperii," in P. D. A. Garnsey and C. R. Whittaker, eds., *Imperialism in the Ancient World* (1978), 159, reprinted in *Roman Imperial Themes*

(1990), 288.

131. Fronto, *Princ. Hist.* 4.

132. Florus, *Epit. praef.*; Tacitus, *Ann.* 4, 32; cf. Pliny, *Ep.* 8, 4.

133. Fronto, *Princ. Hist.* 10; Eutropius 7, 6, 2; Festus, *Brev.* 14, 20; *v. Had.* 5, 3.

134. Eutropius 7, 6, 2. Fronto (*Princ. Hist.* 10) claims that Hadrian actually gave up Dacia.

135. Appian, *Praef.* 4/14–15. Cf. Pausanias 1, 9, 5, for very similar conceptions.

136. Herodian 2, 11, 5.

137. The few lines of Eutropius 9, 55, 1 represent the fullest account of the abandonment, and the creation of Dacia Ripensis south of the river. Repeated in *HA*, *v. Aurel.* 39, 7. Cf. Festus, *Brev.* 8. See H. Vetters, *Dacia Ripensis* (1950).

138. Cf. text to n. 75 (crossing by Goths); *Pan. Lat.* X (Galletier II), 2, 6; XI (Galletier III), 6, 6. Note *Pan. Lat.* VIII (Galletier IV), 3, 3: *Dacia restituta*, referring to Dacia Ripensis. When Anon. Vales. 1, 135/13 gives the origin of Licinius as “ex nova Dacia,” this is an implicit allusion to the old province.

139. Eutropius 9, 17, 1–2; Festus, *Brev.* 29; Ammianus 25, 7; Zosimus 3, 31–32.

140. E.g., Onasander, *Strategemata*; Frontinus, *Strategemata*; for Arrian, *Techne Taktike*, see F. Kiechle, “Die ‘Taktik’ des Flavius Arrianus,” 45. *Ber. Röm-Germ. Kom.* 1964 (1965), 87; for Arrian, *Ektaxis*, see A. B. Bosworth, “Arrian and the Alani,” *HSCPh* 81 (1977): 217, esp. 232–55, and cf. P. A. Stadter, *Arrian of Nicomedia* (1980), 41–49; Polyaeus, *Strategemata* (addressed to Marcus Aurelius and Verus). The anonymous *de rebus bellicis* (see the new text and discussions, edited by M. W. C. Hassall and R. I. Ireland, *BAR Int. Ser.* 63, 1979) is of course more original, being concerned with practical measures for the defence of a static frontier.

141. Constantinus Porphyrogenitus, *de Administrando*, ed., trans., and com. G. Moravcsik and R. J. H. Jenkins, I–II (1949–62). For its importance as a source of ethnographical information on the area north of the Black Sea, see D. Obolensky, *The Byzantine Commonwealth: Eastern Europe, 500–1453* (1971), esp. 24–25.

142. See Josephus, *BJ* II, 16, 4 (345–401), the speech of Agrippa II; Suetonius, *Vesp.* 8; Tacitus, *Ann.* 4, 5; *Hist.* 1, 8–11; 2, 81. Note esp.

Dio 55, 23–24, on the positioning of those legions which had existed under Augustus and were still in service, and those raised by successive later emperors. It will be recalled that according to Suetonius, *Tib.* 30, Tiberius used to consult the Senate “de legendo vel exauctorando milite ac legionum et auxiliorum discriptione” (see translation in text to n. 16).

143. Gaius, *Inst.* 3, 94.

144. Porphyry, v. *Plot.* 3.

145. 16, 12, 70.

CHAPTER TEN

Government and Diplomacy in the Roman Empire during the First Three Centuries



The diplomacy of the Roman Empire in the period of its greatest extent and stability, let us say until towards the middle of the third century A.D., has received very little attention. A recent collection of studies on ancient diplomacy ignores it altogether.¹ It is true that in this period the Empire faced no major external threat, and remarkably few significant internal revolts. The great Jewish revolt of A.D. 66, culminating in the siege of Jerusalem in 70, which absorbed almost one-seventh of the entire Roman army, offers a clear indication of how much the Empire owed to the absence of national identities within its borders.² The period of stability ended precisely with the overthrow in the 220s of the relatively weak Parthian Empire, centred on Babylonia, and the rise of what was to become a serious external threat, the new Persian dynasty, the Sassanians or Sassanids. Observers in the Roman Empire were immediately conscious of how much had changed. Near the end of his great *Roman History* in eighty books, which began with the arrival of Aeneas in Italy and concluded with his own second consulship in 229, Cassius Dio writes (80, 3, 1–4):

But the situation in Mesopotamia became still more alarming and inspired a more genuine fear in all, not merely the people in Rome, but the rest of mankind as well. For Artaxerxes, a Persian, after conquering the Parthians in three battles and killing their king, Artahanus, made a campaign against Hatra, in the endeavour to capture it as a base for attacking the Romans.... He accordingly became a source of fear to us; for he was encamped with a large army so as to threaten not only Mesopotamia but also Syria, and he boasted that he would win back everything that the ancient Persians had once held, as far as the Grecian Sea, claiming that all this was his rightful inheritance from his forefathers.

The Persians never did reach the Aegean, though four centuries later their invasion and brief conquest of Syria and Palestine, and Heraclius' great counter-invasion, were to form the background to the sudden and wholly unexpected conquests of Islam. Long before that, however,

the imperialist self-image of the new dynasty had produced, in the form of the great inscription of Shapur I at Naqsh-e-Rustam in Iran, the first documentary representation which we have of the external relations of the Roman Empire as seen from outside:

When at first we had become established in the empire, Gordian Caesar raised in all of the Roman Empire a force from the Goth and German realms and marched on Babylonia [Assyria] (Asuristan) against the Empire of Iran and against us. On the border of Babylonia at Misikhe, a great “frontal” battle occurred. Gordian Caesar was killed and the Roman force was destroyed. And the Romans made Philip Caesar. Then Philip Caesar came to us for terms, and to ransom their lives, gave us 500,000 *denarii*, and became tributary to us. And for this reason we have renamed Misikhe Peroz-Shapur.

And Caesar lied again and did wrong to Armenia. Then we attacked the Roman Empire and annihilated at Barbalissos a Roman force of 60,000 and Syria and the environs of Syria we burned, ruined and pillaged all. In this one campaign we conquered of the Roman Empire fortresses and towns: the town of Sura, Barbalissos ... a total of 37 towns with surroundings.

In the third campaign, when we attacked Carrhae and Urhai [Edessa] and were besieging Carrhae and Edessa Valerian Caesar marched against us. He had with him a force of 70,000 from Germany, Raetia, Noricum.... And beyond Carrhae and Edessa we had a great battle with Valerian Caesar. We made prisoner ourselves with our own hands Valerian Caesar and others, chiefs of that army, the praetorian prefect, senators; we made all prisoners and deported them to Persis.

And Syria, Cilicia and Cappadocia we burned, ruined and pillaged. In that campaign we conquered of the Roman Empire the town of Samosata, Alexandria on the Issus ... all these cities with their surroundings.³

This passage begins with Shapur's accession in 240–41, and culminates with the capture of Valerian in 260, the first and only occasion on which a Roman emperor was captured alive. As such, it represents very accurately the drastic nature of the third-century crisis of the Empire. While the crisis was overcome, and the Empire in A.D. 400 still ruled a larger area than it had in A.D. 40, its strategic centre of gravity had shifted irreversibly eastwards, with consequences too obvious to need spelling out here.

Essentially, therefore, Cassius Dio's report, and Shapur's triumphant proclamation, put up in three languages far away in Iran, reflect a

fundamentally new phase in the history of the Empire. In this phase an emperor may be captured in person in the field, be killed in battle (as Shapur alleges of Gordian III, in fact, perhaps killed by his own men), have to treat for terms, or pay his enemy money to obtain peace. Gordian III is also described as bringing against Persia forces which include contingents of Goths and Germans. If that claim is based on fact, it represents one of our earliest items of evidence of Gothic forces serving under Roman command and suggests their arrival on the shores of the Black Sea some time in the later second century; other documentary evidence shows that units of Goths had been enrolled in the Roman army by the early third century.⁴ Goths, too, were to have an important role in the later history of the Empire. The first Roman emperor certainly to die in battle was Decius, killed by the Goths in 251; the second was Valens, when his forces were crushed by the Goths at Hadrianople (Edirne in European Turkey), deep in the Roman provinces, in 378.

As we shall see, and as the enrolment of Goths considerably earlier than previously attested itself illustrates, many features of the Roman state during the crisis of the Empire have their origin in the earlier period of general stability and security. None the less, there are features which make the period before the rise of Sassanid Persia distinctive, and which raise particular problems as to the nature and conduct of Roman diplomacy as it then was. Although the subject has attracted relatively little attention, it was not unimportant. For, even given a remarkable degree of external security and the absence of major external threats, the frontiers of the Empire, stretching over several thousand miles, inevitably brought it into contact with a large variety of peoples, speaking different languages and at very different stages of development. Whether we think of purely local contact, aimed at solving disputes or controlling the movements of traders and pastoralists, or of important negotiations conducted centrally, some means for the adjustment of relations clearly had to exist, and did.

Still, it is easy to see why the subject has not occupied a central place in our conception of the early Empire as a political system—the bibliography of this topic is by no means extensive⁵—for it is marked by striking anomalies and contradictions. First, whose Empire was it? What body or person was the sovereign? In fact, as we shall see, the public official discourse of the early imperial period was unambiguous in representing the Empire as that of the *populus Romanus*, the Roman People as a collectivity.⁶ But whatever functions the assemblies of the

Roman people still fulfilled, the conduct of foreign relations was not one of them. Indeed, even in the Republic, it had been one of the features distinguishing the city-state of Rome from a typical Greek democracy, that ambassadors from foreign powers never came before the assemblies of the people. The people had once voted on declarations of war and the making of peace treaties, but that function too disappeared in the later Republic.⁷

Embassies from foreign powers had in fact always appeared before the Senate: as Polybius rightly noted in the course of his well-known analysis of the Roman constitution, the reception of embassies was one of the Senate's most important functions, and also one which tended to give foreigners the (false) impression (shared however by many moderns) that the Senate could be regarded unambiguously as the "government" of Rome (Polybius 6, 13, 7–8). This central role of the Senate was remembered, and still claimed, throughout the period of the Empire with which we are concerned. Our clearest indication of the importance attached to it is in the fictitious speech which Cassius Dio, in his *Roman History*, puts into the mouth of Maecenas, supposedly addressing Augustus (53, 31, 1):

Moreover, as regards other matters, you would seem to me to be arranging things for the best, if as regards embassies both from enemies and from allies, whether kings or peoples, you were to bring them first before the Senate. For, other considerations apart, it is both appropriate and impressive for the Senate to give the appearance of being sovereign in all things, and that there should be a plurality of people to appear as adversaries in the case of those of them [foreign envoys] who are contumacious.

Though the narrative setting of the speech is the reign of Augustus, its contents were undoubtedly intended to refer to Dio's own time. The words were perhaps written about A.D. 230; in which case, they carry a particularly appropriate message. For, on our evidence (see further below), precisely during the course of the second century had embassies from both outside and inside the Empire ceased to appear before the Senate, and come instead to be directed solely to the emperor in person.⁸

The relationship between the emperor and the Senate thus points towards two further elements of ambiguity in the character of the Empire as a sovereign state. In spite of the formal emphasis on the sovereignty of the Roman people, a wide range of evidence illustrates the fact that from the beginning of the reign of Augustus, diplomatic

traffic from outside the Empire tended markedly to direct itself to the emperor in person, wherever he happened to be, as to the effective head of government. Yet for at least a century and a half after the battle of Actium in 31 B.C., which ensured the sole rule of the future Augustus, embassies and allied kings from outside the Empire might also appear to speak before the Senate in Rome. The legacy of the origins of the monarchy from within a republic was thus to be remarkably durable. Nothing shows more clearly than the words which Dio puts into the mouth of Maecenas that this role of the Senate was no ornament but a valued function which was to be recalled decades after it had apparently lapsed into disuse.

However, valued as it clearly was, the diplomatic and foreign-relations role of the Senate had been overshadowed from the reign of Augustus by that of the emperor. This aspect of his function plays an important part in the *Res Gestae*, the record of his achievements, which Augustus composed himself, and left behind on his death, to be inscribed on two bronze tablets which flanked the entrance to his massive Mausoleum on the Campus Martius in Rome (chap. 35):

To me there were often sent embassies from kings in India, never previously witnessed before any *dux* [general] of the Romans. The Bastarnae and the Scythians sought our *amicitia* [friendship] by embassies, as did kings of the Sarmatae living on this side and the other side of the river Tanais [the Don], and the king of the Albani, the Hiberi, and the Medes. To me there fled suppliant kings of the Parthians ... [and other peoples]. To me the king of the Parthians, Phraates, son of Orodes, sent all his sons and grandsons to Italy as hostages, not after defeat in war but seeking our *amicitia* by the use of his children as pledges. Several other *gentes* tried the faith [*fides*] of the *populus Romanus* while I was *princeps*, who had never previously had any exchange of embassies and *amicitia* with the *populus Romanus*. Contemporary evidence confirms that such embassies did reach Augustus, from both West and East.

The geographer Strabo describes how British kings had gained the friendship of Augustus by sending embassies, and paying court, and had made offerings on the Capitol in Rome (*Geography* 4, 5, 3, 200). The latter point again illustrates the ambiguity of sovereignty in the early Empire, for by a long-established tradition of the Republic, which persisted into the Empire, foreign peoples and rulers symbolised their acceptance of Roman hegemony by offering sacrifices or making permanent dedications on the Capitol, therefore in or near

the ancient temple of Jupiter Optimus Maximus; it was there too that copies of treaties had long been deposited.⁹ That same ambiguity appears in the inscription from Apamea in Syria recording a local dynast from this region in the time of Augustus, called Dexandros, “[who] by the decree of the deified Augustus, because of his friendship and loyalty to the Roman People, was inscribed as friend and ally on bronze tablets on the Capitol.”¹⁰ But this inscription introduces yet another form of ambiguity to which we shall return.

As regards embassies from far beyond the Empire, to the East, our best evidence comes again from Strabo, who quotes the account of an Indian embassy on its way to meet Augustus given by another contemporary, Nicolaus of Damascus (Strabo, *Geography* 15, 1, 73, 719):

He says that at Antioch, near Daphnê, he chanced to meet the Indian ambassadors who had been despatched to Caesar Augustus; that the letter plainly indicated more than three ambassadors, but that only three had survived (whom he says he saw), but the rest, mostly by reason of the long journeys, had died; and that the letter was written in Greek on a skin; and that it plainly showed that Porus was the writer, and that, although he was ruler of six hundred kings, still he was anxious to be a friend to Caesar, and was ready, not only to allow him a passage through his country, wherever he wished to go, but also to co-operate with him in anything that was honourable. Nicolaus says that this was the content of the letter to Caesar, and that the gifts carried to Caesar were presented by eight naked servants, who were clad only in loin-cloths besprinkled with sweet-smelling odours; and that the gifts consisted of the Hermes, a man who was born without arms, whom I myself have seen, and large vipers, and a serpent ten cubits in length, and a river tortoise three cubits in length, and a partridge larger than a vulture.

We happen to know from Cassius Dio’s *Roman History* that this embassy, or what was left of it, appeared before Augustus when he was spending the winter of 20–19 B.C. on Samos (54, 9, 8–10). Augustus had also spent the previous winter on Samos, and there an Ethiopian embassy had reached him, sent on by the prefect of Egypt. Strabo again gives a very illuminating account of the reaction of this Ethiopian embassy, originally sent by Queen Candace, when the prefect told the embassy that they must go on from him to the Emperor (*Geography*, 17, 1, 54, 820–21):

Meantime Candace marched against the garrison with many thousands

of men, but Petronius set out to its assistance and arrived at the fortress first; and when he had made the place thoroughly secure by sundry devices, ambassadors came, but he bade them go to Caesar; and when they asserted that they did not know who Caesar was or where they should have to go to find him, he gave them escorts; and they went to Samos, since Caesar was there and intended to proceed to Syria from there, after despatching Tiberius to Armenia. And when the ambassadors had obtained everything they pled for, he even remitted the tributes which he had imposed.

The ambassadors' reaction introduces, very early in the history of the Empire, a question to become of ever increasing relevance, especially from the middle of the second century onwards. If it were necessary to appear before the emperor, as it often was, where was he to be found? The remarkable mobility of emperors, whose journeys are the subject of a valuable recent study,¹¹ is a crucial and underestimated aspect of the Empire as a political system.

But, wherever the emperor happened to be, the leaders of most groups from beyond the borders of the Empire understood from the beginning that it was to him in person that they should go on diplomatic business. At this point we encounter further ambiguities. It is by no means clear that any concept of the borders of the Empire prevailed, or that there would have been any agreement about which regions or peoples lay within the Empire, and which outside it. Fixed and visible frontier installations (walls, pallisades, lines of forts) were created in some areas in the course of the imperial period, for instance in the form of Hadrian's Wall, or the defences of southern Germany. But it is not certain even that these were regarded as marking legal borders between Roman and non-Roman territory. They were in any case an exception. In many areas there will have been no definable moment when the traveller will have known that he was entering or leaving the Roman Empire. Moreover, the Empire, especially as it was under Augustus, incorporated a large number of regions ruled by allied kings (the so-called client kings), for instance, in the Alps, Thrace, Eastern Anatolia, the Syrian region, Arabia, and Mauretania.¹² There is no unambiguous way of saying whether such regions formed part of the Roman Empire or not. In some sense they clearly did. Strabo, bringing his *Geography* to a close with a description of the division of the provinces between the Roman people and the Emperor (i.e., those provinces whose governors he appointed), ends by saying categorically "kings and dynasts and tetrarchies belong to his part,

and always have done so” (18, 3, 25, 840). But if the criterion of belonging to the Empire were taken as the payment of tribute, then these “client” kingdoms did not belong to it. As a subject of the tetrarch Herodes Antipas, and living in Galilee, Jesus paid no tribute to Rome. The issue of whether or not tribute should be paid by Jews arose, as the Synoptic Gospels agree (Mark 12:13–17; Matt. 22: 17–22; Luke 20: 21–26), when Jesus visited Jerusalem, now under direct Roman rule. But it would be an over-simplification to say that Jesus was not a subject of the Empire.

None the less, the step-by-step absorption of the “client” kingdoms was a significant, if protracted, process. Not until A.D. 46 could anyone have walked round the shores of the Mediterranean while remaining all the time either in Italy or provinces paying tribute to Rome. And not until the second century did the Empire acquire a strategic shape and character such that its defence need not depend to any significant degree on “client” kingdoms.¹³

If our concern is with the nature of the Empire as a diplomatic system, however, the mere fact of the extension of provincialisation will not remove—indeed, rather accentuates—the ambiguities with which we are faced. For quite apart from those unsubdued tribal peoples who remained within the bounds of the Empire, many provinces, especially in the Greek East, contained “free” cities which governors were not supposed to visit, and which lay outside their jurisdiction. One of these, Aphrodisias in Caria, took the precaution early in the third century of inscribing on the wall of its theatre a long series of imperial letters confirming its privileged status. The publication of this archive in 1982 provided a rich store of illustration of the diplomatic practices governing exchanges between such a city and the emperor.¹⁴ In particular, when a new emperor came to the throne, the city council would pass a decree expressing the city’s joy at his accession, and ambassadors would be sent who would hand over the decree, accompanying it with a brief speech, heard by the emperor in person. He then addressed to the city a letter in Greek, which was brought back to their homeland by the ambassadors. The custom continued at least until the middle of the third century. The latest document added to the archive wall at Aphrodisias is a reply from the Emperor Decius and his son Herennius, dated to A.D. 250 (no. 25, trans. Reynolds):

Imperator Caesar C. Messius Q. Traianus Decius, Pius, Felix, Augustus, holding tribunician power for the third time, consul for the second

time, designated for the third, father of his country, proconsul, and Q. Herennius Etruscus Messius Decius, Pontifex Maximus, holding the tribunician power for the first time, consul designate, to the Magistrates, Council and People of the Aphrodisians, greetings. It was to be expected, both because of the goddess for whom your city is named and because of your relationship with the Romans and loyalty to them, that you rejoiced at the establishment of our kingship and made the proper sacrifice and prayers. We preserve your existing freedom and all the other rights which you have received from the emperors who preceded us, being willing also to give fulfilment to your hopes for the future. Aurelius Theodorus and Aurelius Onesimus carried out the duties of ambassadors. Farewell.

It would, however, be a mistake to conclude that the elaborate diplomatic protocol which characterizes this letter is a function specifically of Aphrodisias' status as a free city, or, as other documents in the archive put it, "removed from the *formula* [typos] of the province." For what is distinctive about the archive is not that, but lies in the clear indication it gives of the particular privileges such a "free and immune" city enjoyed: for instance, non-payment of Roman taxes, exemption from visits by the proconsul of Asia, and even exemption from claims on the services of its citizens made by other cities in the province or by the provincial council. Precisely because these privileges were exceptional, repeated "diplomatic" activity was required to ensure their protection and preservation.

Such activity, directed to the emperor, did not in itself mark Aphrodisias as a "free" city, nor ought it to lead us to characterize Aphrodisias as a place which belonged notionally, though of course not geographically, beyond the borders of the Empire. The truth is exactly the opposite, that most of the evidence for exchanges which have the *form* of diplomatic dealings between the emperor and a foreign sovereign power in fact comes from his dealings with cities and communities unambiguously subject to the Roman Empire, which paid tribute to it, and which were in every sense within its borders.¹⁵

Our extensive knowledge of the form and nature of these exchanges is largely, but not wholly, a function of a feature of Graeco-Roman culture which Ramsey MacMullen aptly nicknamed "the epigraphic habit":¹⁶ that is to say, the custom illustrated above of inscribing in public, on stone or bronze, documents which were felt for various reasons (glory, status, preservation of privileges) to be worth publicizing in permanent form. The mass of our evidence for

“diplomatic” exchanges with the emperor comes from cities like Aphrodisias, in the Greek-speaking part of the Empire. It is impossible to tell for certain whether the much smaller number of such documents from the Latin-speaking West is a product of the lesser involvement of communities from this region in such diplomatic traffic, or their less-developed attachment to the epigraphic habit, or (as is quite likely) both.

We may be certain, at any rate, firstly, that long before the establishment of monarchic rule by Augustus, embassies from provincial and allied communities had addressed themselves not only to the Senate in Rome but to individual Roman commanders in the field; and, secondly, that immediately after the battle of Actium in 31 B.C., such communities were aware that the source of authority had been decisively concentrated in one man and acted accordingly. We may take as a clear example the reply which Octavian, the future Augustus, wrote from Ephesus to the small Syrian city of Rhodus, some time between the battle on 31 September and the end of the year. It was addressed in formal style to “the magistrates, council, and people of the sacred, inviolate, and autonomous city of the Rhodians,” and began with the standard greeting:

If you are well, it is well; I too, with my army, am well. The ambassadors sent by you ... having come to me at Ephesus, addressed me on the matters on which they had instructions. On receiving them I found them to be patriotic and good men, and accepted the honours and the gold crown. When I come to those parts I will do my best to be of service to you and to preserve the privileges of the city.

Once again we owe our knowledge of this exchange entirely to the fact that the city decided to have this and other related documents inscribed publicly.¹⁷ It would be possible to cite comparable examples from the following centuries but is surely unnecessary. Such exchanges can be shown to have been initiated by all types of cities or self-governing communities. The composition of decrees, the sending of embassies, the reception of these embassies at a formal session by the emperor, the delivery of the written decrees to the accompaniment of a brief oration, and the bringing back of a reply: such formal exchanges were common both to places which stood in some legalistic sense “outside” the imperial system, and to ones which might be presumed to have been far inside it, to have been in a real sense part of the Roman *res publica* itself—by that I mean regular *coloniae* (colonies), formally established by the *populus Romanus* “of which

those colonies can be regarded as being miniature effigies and as it were representations,” as Aulus Gellius put it in the second century (*Noctes Atticae* 16, 13). But such colonies, whether situated in Italy, all of whose inhabitants were Roman citizens, or in the provinces, in which case the status of colonies itself automatically conferred the Roman citizenship, none the less addressed themselves to the emperor, and were addressed by him, in precisely the “diplomatic” manner, more suggestive of equal sovereign states, described above. The same is also true of tribute-paying communities, enjoying no specific Roman status, situated in the Latin-speaking western provinces. So, for instance, we find Vespasian in the 70s replying to an embassy from a totally obscure community in northern Corsica. Once again our knowledge of the exchange is owed entirely to the inscription which the community later put up:

Imperator Caesar Vespasianus Augustus to the magistrates and senators of the Vanacini, greeting.

I am pleased to learn that Otacilius Sagitta, my friend and procurator, exercised his authority over you in such a way as to earn your commendation. On the controversy which you are engaged in with the Mariani ... The business was conducted by the ambassadors Lasemus son of Leucanus, priest of Augustus, and Eunus son of Tomasus, priest of Augustus.¹⁸

In this case the real subordination of the community to imperial control is made perfectly explicit, while the conventional diplomatic form is maintained.

We are not, however, entirely dependent for our knowledge of the nature of these exchanges on the determination of provincial towns to immortalize in public form the answers they received from emperors. While diplomatic (or other) archives, in the sense familiar from more recent periods of history, are unknown, a scattering of comparable texts exists preserved on perishable materials, notably private copies found on papyri from Roman Egypt. One striking example, almost (in a weak sense) deserving the term “archive,” is provided by a group of papyri showing exactly comparable embassies, with replies in letter form, being directed to emperors from Claudius in the mid-first century to Severus Alexander in the early third, by the world-wide association (literally “oecumenical synod”) of Greek actors, that is, professionals who performed at the major festivals.¹⁹

The reception of such embassies was a regular public occasion for the emperors, and hence for that reason a fruitful source of anecdotes

illustrating their notoriously wide range of personal peculiarities. It is significant that while jurisdiction, another role performed by emperors in person, was often delegated, especially from the early third century on, the hearing of embassies almost never was. The sole exception is provided by Augustus, in advanced old age.²⁰

It would be to diverge too far from the purpose of this chapter to ask how far the maintenance (on the part of provincial governors as well as of the emperor himself) of a sort of universal fiction of local sovereignty and entitlement on the part of provincial cities to conduct diplomatic-style relations in the manner of an independent state contributed to the stability of the Empire, and the acceptance of it, or at least absence of consistent opposition to it, among the ruling classes of the provinces. The diplomatic system of the Empire, as sketched above, did, however, implicitly remember and recognise the fact that the vast majority of the locally self-governing cities and communities of the provinces had once been genuinely independent, and had come within the orbit of Roman provincial government and of the payment of tribute to Rome, in a complex variety of ways, from alliance to outright conquest.

In the Roman Empire, therefore, even in Italy itself (most of whose cities were also not creations of Rome and had once been independent), diplomatic forms more suggestive at first sight of foreign relations were carefully preserved. Moreover, it is highly significant that the structure of the imperial court, or entourage, was clearly marked by the need to be able to make the necessary replies in appropriate form. In the speech which Cassius Dio in his *Roman History* puts into the mouth of Maecenas, addressing Augustus, he interestingly suggests restricting embassies from provincial cities to matters requiring a decision (*diagnōsis*) from the emperor, that is, to disputes between at least two cities; other requests should be sent on by the local provincial governor (52, 30, 9). So ingrained was the conception that disputes between city embassies ought to be heard by the emperor, that even Dio, whose attitudes were strongly hierarchical, could not envisage the ending of this imperial role. More pertinent here, however, at a later point in the speech Maecenas is even made to envisage all the chief functionaries at the emperor's side, other than the praetorian prefects, and officials concerned with finance, being employed to answer, in various forms, the addresses and petitions made by both cities and individuals (52, 33, 5): "Moreover, as regards judicial hearings and letters, the decrees of the

cities, and the petitions of individuals, and whatever else is relevant to the government of the Empire, take aides and assistants from the equestrian order.”

A wider and much-disputed issue is being touched on here, namely the extent to which the imperial system was primarily passive, directed to a significant degree to answering requests or solving disputes emanating from below. It may suffice to say here that the (admittedly unsatisfactory) evidence does indeed reveal imperial secretaries with functions of the sort suggested by Dio through “Maecenas”: men with titles such as *a cognitionibus* (to do with judicial cases), *ab epistulis* (to do with letters), and *a libellis* (to do with petitions). But, in a way which remains very puzzling, the evidence reveals no imperial “secretaries” whose titles suggest responsibility for the positive or general forms of instruction which emperors did indeed issue: the *mandata*, or codes of instruction given to provincial governors and other officials; or imperial *edicta*, general pronouncements which were not (in principle) addressed to any one community or individual. It remains quite unclear which “secretaries,” if any, were concerned in the composition of the sometimes extensive, detailed, and declamatory imperial *edicta*.

The fact that our evidence does not even record the titles of any officials concerned with these two important types of imperial pronouncement merely accentuates a more general and profound problem, firstly, as to the working of the imperial court as a whole as a bureaucratic or governmental system and, secondly, as to the specific role of the emperor in deciding the content of imperial replies, or even, perhaps, in the actual composition of the relevant texts. The problem is not decided by the mere fact that our sources invariably talk *as if* all forms of imperial pronouncement came from the emperor himself. None the less, two considerations serve to establish a framework for the question. Firstly, there is nothing in our entire evidence to suggest that any form of imperial pronouncement could be issued in his name, or as from him, by any imperial agency functioning from a place from which the emperor himself was absent—for instance from Rome, if the Emperor were currently at an imperial villa elsewhere in Italy, or in the provinces, or on campaign. All imperial pronouncements emanated at least from the immediate vicinity, or entourage, of the emperor.

Secondly, it would be reasonable, and in accordance with the basic character both of Roman political life and of Roman law, to see

verbal, or oral, pronouncements as primary, and their written manifestations as secondary. Roman law depended fundamentally on verbal statements made by parties to legal transactions, rather than on written documents: it is striking that the legal writer Gaius, of the middle of the second century A.D., imagines the emperor requiring the *princeps* of a foreign *populus* to make a verbal promise to keep the peace—"pacem futuram spondes?" (*Inst.* 3, 94). Equally, for instance, an *edictum* had originally been literally that, a pronouncement "spoken out" to the people by a magistrate, normally from the Rostra, the speaker's platform in the Forum in Rome.

It is important to stress that the role of issuing verbal pronouncements or decisions remained an essential element in the functions of the emperor. He delivered *orationes* (speeches) to the Senate (though these could be read in his absence by his quaestor, the *quaestor Caesaris*); he also made *orationes* on occasion to the people, and *orationes* or *allocutiones* to the soldiers in Rome or the army in the field. Both coins and the representations of the imperial military role on the Column of Trajan and the Column of Marcus Aurelius give particular prominence to this latter role. The emperor also, as mentioned above, gave jurisdiction; as with any other person giving jurisdiction, the verdict (*decretum* or *sententia*) had to be read out by him, often from a written text so as to ensure complete accuracy. Finally, as noted earlier, the emperor heard embassies from provincial communities in person and had to make at least a provisional response verbally at the time, even though the definitive reply was invariably embodied subsequently in a letter.

It was precisely such letters, as we have seen, which formed the type of imperial pronouncement most frequently enshrined by these provincial communities in permanent inscriptions; hence they are among the documents whose formal character is best known to us. That still leaves open, however, the question of by whom they were in reality composed. Somewhat similar problems arise with imperial answers to *libelli*, or written petitions from individuals. These were, originally at least, handed to the emperor in person; and the replies, referred to in the second century as *subscriptiones*, were in principle literally "written under" the petitions themselves, and given back. There is no need here to go into the complex question of the evolution of the *libellus* system, except to say that it does bear in an important way on major questions in Roman law, for imperial replies to *libelli* from private persons make up almost the whole of the *Codex*

Justinianus and are extensively quoted in the *Digest*, in other legal sources from Gaius onwards, and on inscriptions and papyri. They appear in large numbers in the *Codex* and *Digest* precisely because they are being quoted as sources of law. Current arguments have not yet established whether we should see this branch of law-making as a function of the emperors themselves, or allow it to be reclaimed for the jurists, including major ones such as Papinian, who successively occupied the secretarial post at the emperor's side called a *libellis* (to do with *libelli*), or later *magister libellorum*. It might well be necessary here, too, to distinguish clearly between responsibility for the essential content of such a reply (which might often be of a yes-no form) and the composition of a text expressing the answer in appropriate legal language, with explanation and justification where required.²¹

By the second century, it was possible for such *libelli* to be forwarded to the emperor by provincial governors, accompanied by a covering letter, both carried by messengers. Such an exchange, which took place in the reign of Marcus Aurelius, provides one of the very few glimpses we ever get of the archives of the emperors and how they were managed. Once again, however, the glimpse is indirect. The source is again an inscription, a bronze tablet discovered at Banasa (Morocco), and evidently put up by the beneficiaries of the imperial grants in question. The two imperial letters quoted are in response to letters from two successive governors of the Roman province of Mauretania Tingitana, each forwarding a *libellus* asking for the Roman citizenship for a chief of a tribal people in that region, the Zegrenses, or for members of his family:

[c. A.D. 168] Copy of a letter of our Emperors Antoninus and Verus, Augusti, to Coiiedius Maximus: we have read the *libellus* [petition] of Julianus the Zegrensiian attached to your letter, and although the Roman citizenship is not normally granted by imperial *indulgentia* to those tribesmen unless earned by the highest deserts, yet since you affirm that he is among the most prominent among those peoples of his and most loyal in his prompt obedience in our interests (and we do not think that many households from among the Zegrenses will be able to claim the same of their services) and since [?] we wish as many as possible to be aroused by the honour conferred by us on that house to emulate Julianus, we do not hesitate to give the Roman citizenship, without prejudice to the law of the tribe, to him, his wife Ziddina, and their children Julianus, Maximus, Maximinus, Diogenianus.

[A.D. 177] Copy of a letter of the Emperors Antoninus and Commodus, Augusti, to Vallius Maximianus: we have read the *libellus* of the chief of the tribes of the Zegrenses and have noted the favour with which he is regarded by your predecessor Epidius Quadratus, and also moved by the latter's testimonies, and the services and evidence of his conduct which he himself puts forward, have given to his wife and children the Roman citizenship, without prejudice to the law of the tribe. In order that this may be recorded in our *commentarii* [records] find out what the age of each is and write to us.

Copied down and checked from the record [*commentarius*] of those given the Roman citizenship by the Divine Augustus [names of preceding emperors] ... which the freedman Asclepiodotus produced, as it is written below:

In the consulship of Imperator Caesar L. Aurelius Commodus Aug. and M. Plautius Quintilius, on the day before the nones of July, at Rome [6 July 177]

Faggura, wife of Julianus, princeps of the tribe of the Zegrensiens, age 22, Juliana, age 8, Maxima, age 4, Julianus, age 3, Diogenia, age 2, children of Julianus mentioned above:

At the request per libellum of Aurelius Julianus, princeps of the Zegrensiens supported by Vallius Maximianus by letter [*suffragante ... per epistulam*], to these we have given the Roman citizenship, without prejudice to the law of the tribe, and without diminution of the *tributa* and *vectigalia* of the *populus* and the *fiscus*.

Carried out on the same day in the same place under the same consuls. Asclepiodotus, freedman: I have checked it:

Witnesses:

M. Gavius Squilla Gallicanus	[consul, 150]
M. Acilius Glabrio	[consul, 152]
T. Sextius Lateranus	[consul, 154]
C. Septimius Severus	[consul, 160]
P. Juilius Scapula Tertullus	[consul, 160–6]
T. Varius Clemens	[<i>ex-ab epistulis</i>]
M. Bassaeus Rufus	[<i>ex-praetorian prefect</i>]
P. Taruttienus Paternus	[<i>praetorian prefect</i> by 179]
Sex [Tigidius Peren]nis	[<i>probably praetorian prefect</i>]
Q. Cervidius Scaevola	[<i>lawyer, prefect of Vigiles</i> (fire brigade), 175]
Q. Larcius Euripianus	

What is relevant in this context is, firstly, the unexpected revelation of

a continuous system of recording the names of persons granted the Roman citizenship, going all the way back to the first emperor, Augustus, who had died more than a century and a half earlier. It must remind us that we *may* seriously underestimate the sophistication of an imperial archival system to which we have no direct access; and it must at least raise the question of whether any comparable archival system recorded diplomatic and foreign relations beyond the imperial frontier. Secondly, once again, it may remind us that “the imperial frontier” itself is not an unambiguous concept. Roman dealings with the unsubdued tribal peoples of western Mauretania had themselves in part the character of foreign, or diplomatic, relations. In this instance, Roman citizenship is being sought by someone who clearly lay at best on the margins of the urban, literate world of Graeco-Roman culture. The document also touches on another ambiguity characteristic of what we might otherwise want to call Roman “foreign” policy. Like the Herodian kings who ruled one area or another in the Palestine region in the first century, or the kings of the Bosporan kingdom (the eastern Crimea and western Tuman peninsula across the straits) throughout the whole period with which we are concerned, this family of Moroccan tribal chiefs was henceforth to hold Roman citizenship. The citizenship was another respect in which the nature of a strict “frontier” between Roman and non-Roman does not apply. Finally, it is striking that even at this late stage there is a reflection of the ambiguous sovereignty prevailing in the Roman state itself. The taxes and duties which the beneficiaries will still have to pay are due both to the imperial *fiscus* (treasury) and to the *populus*.

If we come back to the governmental and bureaucratic practice of the imperial court, Cassius Dio, it will be recalled, had specified letters as one area where the emperor would certainly need an aide of equestrian rank (52, 33, 5, cited above). It is noticeable, however, that here, in clear contrast with the passage where he speaks of the reception of foreign embassies by the Senate (53, 31, 1, cited above), he is thinking of the internal working of the Empire. Some of this imperial correspondence was addressed, invariably in Latin, to officials, in particular provincial governors; Pliny the Younger’s correspondence with Trajan from the province of Pontus and Bithynia is only the best-known example of a standard form of exchange, which represents a central element in how the Empire was governed. Two

specimens are, of course, incorporated into the document from Banasa just quoted. Equally, imperial letters to cities in the Latin-speaking part of the Empire, of which only a rather modest number is preserved, were also naturally written in Latin.

But very different considerations applied to cities and provincial councils in the Greek-speaking half of the Empire. Here, all the letters from emperors and from governors, which inscriptions put up by these cities reveal, are written in Greek. The suspicion that the original letters might have been translated from Latin in the city concerned, in order to make them more readily intelligible to passers-by who stopped—as they might when entering the theatre of Aphrodisias—to read the inscribed documents, is natural, but in fact not justified. For those inscribed archives, or perhaps pseudo-archives, which also incorporate letters between officials, which were originally written in Latin, leave the texts in Latin and do not translate them.²³

It thus seems highly probable that the Greek cities of the eastern part of the Empire were paid the compliment, in yet another and very precise respect, of having letters addressed to them which had been written in Greek, or translated into Greek, at the imperial court itself. In this sense too, therefore, they were treated as foreign powers, to whom a diplomatic form of address was appropriate. The probability that this was so becomes a certainty when we consider the relatively well-known history of the office of *ab epistulis* (to do with letters).²⁴ This office existed in some form from the beginning of the Empire and comes more clearly into view in the middle of the first century A.D., when it was primarily occupied by freed slaves from the imperial household. Precisely this aspect served to give it and comparable offices some prominence in historical and biographical sources such as Tacitus and Suetonius; for it was generally felt, looking back some decades later, that in the middle of the Julio-Claudian period, and in particular in the reign of Claudius (A.D. 41–54), imperial freedmen serving in close proximity to the emperor had exercised an excessive, damaging, and corrupting influence. In the course of the following period, positions such as *ab epistulis*, *a libellis*, and *a rationibus* (to do with accounts) began to pass instead into the hands of men of free birth belonging to the rank immediately below the Senate, the equestrian order—a process complete by the reign of Hadrian (A.D. 117–38), when one of the *ab epistulis* was the biographer Suetonius. At the same time, however, we find the emergence of a separate post defined as *ab epistulis Graecis* (to do with letters in Greek). Such a post,

or one defined in closely comparable terms, had been attested on some occasions in the middle of the first century. Indeed it is striking that these posts are the earliest “secretarial” posts alongside the emperor to appear on public inscriptions as being held by men who are not freed slaves but Roman citizens of equestrian rank. Both the known examples from this period are in fact Roman citizens of Greek origin. Tiberius Claudius Balbillus appears in a Latin inscription from Ephesos as *ad legationes* (to do with embassies) *et res[pon]sa Graeca?* (and replies in Greek?)—it is typical that the text should be broken at the crucial point. This problem at least does not appear in the Greek inscription from Cos, his native city, honouring Claudius’ doctor, C. Stertinus Xenophon, who is also described as holding the post of *ἐπι τῶν ἐν Ἑλλήνικῳ ἀποκριμάτων* (to do with pronouncements, or replies, in Greek). How exactly we should translate *apokrima* is not clear, but hardly matters in this context, as the sphere of activity is clear enough. It is equally so in the entry in a Byzantine lexicon which describes another Greek, of the second half of the first century, Dionysius of Alexandria, as “in charge of the *epistolai* and *presbeiai* [embassies] and *apokrimata*.” From the reign of Hadrian onwards, the role is well attested, and in particular it is known to have been held by a number of the fashionable and famous Greek orators celebrated in the *Lives of the Sophists* of Philostratus, written in the first half of the third century. That fact alone would tend to suggest that their role related to the formulation of imperial letters in correct Greek style. And, in fact, this function is made quite explicit in what Philostratus says of one of these men, Aspasius, who held office in the early third century. The other Philostratus mentioned was the writer’s nephew (*Vit. Soph.* 2, 33):

The epistle composed by Philostratus called *How to Write Letters* is aimed at Aspasius, who on being appointed imperial secretary wrote certain letters in a style more controversial than is suitable; and others he wrote in obscure language, though neither of these qualities is becoming to an emperor. For an emperor when he writes a letter ought not to use rhetorical syllogisms or trains of reasoning, but ought to express only his own will; nor again should he be obscure, since he is the voice of the law, and lucidity is the interpreter of the law.

In the course of the second century, the division of functions naturally led to the other secretary concerned with letters being described as *ab epistulis Latinis*. It would not be unreasonable to suppose that their respective functions were already not very different from those later

described in the *Notitia Dignitatum* (List of Offices) of around A.D. 400: *Magister epistolarum*: deals with embassies from cities, *consultationes* [enquiries by letter from officials] and *preces* [petitions].

Magister epistolarum graecarum: those letters which are customarily issued [*emitti*] in Greek he either dictates himself or if dictated in Latin translates into Greek.

Thus, in evidence from various periods, while a clear functional connection is made between incoming embassies and the letters which needed to be written in reply to them, the latter role tends to be the more prominent, and to determine the titlature of the officials concerned. Far more important for our purposes, however, is the contrast between the very clear effect on the structure and functioning of the imperial entourage of the respect paid to the Greek cities of the Empire on the one hand, and the total absence on the other of any precise apparatus to handle diplomatic relations beyond the frontier.

As regards a large proportion of the areas with which the Empire was in some permanent or repeatedly renewed relationship, we could simply suppose that the same apparatus designed for “internal” exchanges of a diplomatic type could be applied without difficulty—indeed, in the case of “client” kings without any clear distinction—to relations which might be regarded as “external.” It can, for instance, be assumed without question that Greek was the diplomatic language of all letters to and from kings on the eastern perimeter of the Empire, from the Bosporan kingdom on the north coast of the Black Sea to Armenia, Commagene (finally absorbed in about A.D. 72), Osroene on the other side of the Euphrates, absorbed in A.D. 213–14, Nabatea (Arabia), absorbed in A.D. 106, and even Parthia itself, as well as its Persian successor empire of the 220s onwards. We have in the case of the Parthian Empire a precise parallel in the respect shown to the “Greekness” of the Greek cities within its borders. For the only documentary example which we have of a letter written by a Parthian king is one written in A.D. 21 by Artabanus III to the city of Seleucia on the Euphrates, the ancient Susa in present-day Iran.²⁵ As with the numerous letters of Roman emperors to Greek cities, of which some examples are mentioned above, we owe our knowledge of this letter to the fact that the city concerned had it publicly inscribed. It follows, however, and could not be doubted on more general grounds, that the Parthians will always have had the capacity to conduct diplomatic relations with the Roman Empire, or specifically with the emperor, in Greek. This will have remained true even in the later period, when it

is generally thought that, in broader cultural terms, the long-lasting influence of the Greek culture imported into the Middle East by Alexander had begun perceptibly to decline. So, for instance, there is the evidence of a wonderful new discovery, a bronze statue of the Greek hero Herakles, captured by the Parthian king Vologaeses in A.D. 150 in the course of his conquest of the little kingdom of Mesene, at the head of the Persian Gulf, and dedicated by him in the temple of Apollo situated in another Greek city, Seleucia on the Tigris. The fact is recorded on a bilingual inscription, in Greek and Parthian (the latter written in Aramaic letters) on the statue itself.²⁶

We can thus assume without difficulty that when the emperor Macrinus, who seized power after the murder of Caracalla in Mesopotamia in 217, sent “friendly messages, and returned captives” to the Parthian king Artabanus, the letter and any accompanying exchanges were in Greek (Cassius Dio 79, 29, 2). Greek was to remain one of the royal languages of the new Persian Empire, as is illustrated most clearly by the great inscription of Shapur I from Naqsh-e-Rustam (text to n. 3 above), set up in three languages, Greek, Middle Persian, and Parthian.

The same predominance of Greek as an international language can be assumed for all the kingdoms, of varying size and stability, which were to be found in the broad zone between the Red Sea and the Black Sea. An inscription from the city of Priene in Asia Minor happens to allude quite casually to the fact that as early as 129 B.C. an ambassador had gone “to Petra of Arabia,” the Nabatean capital, for what purpose is not known.²⁷ We can be certain that the ambassador from this Greek city did not devote himself to studying the Nabatean language (a dialect of Aramaic) before he set off. The Nabateans’ official use of Greek is shown not only on their coinage of the Hellenistic period but also, for instance, in dedications which one of their kings, Rabbel, like other kings, placed on the Capitol in Rome. In fact, it was made for him by his ambassadors, described in Greek as *presbantai*.²⁸ The same will, beyond question, apply to the dynasty of the kings of the Bosphorus, since the language of the kingdom and the cities within it was entirely Greek. In the correspondence between Pliny the Younger, as governor of Pontus and Bithynia, and Trajan, we happen to catch a glimpse of a letter being transmitted by Sauromates I (A.D. 93/4–123/4) to Trajan. Indeed, we find a complex set of exchanges proceeding simultaneously. A messenger (*tabellarius*) from the king arrives in Bithynia carrying a letter to Trajan, and also one to

Pliny himself, urging him to send the messenger onwards with all speed, as the letter to the Emperor contains things he urgently needs to know. At the same time an embassy from the Bosphorus, or more precisely from the king, is pursuing a more leisurely journey through Bithynia on its way to Rome (Pliny, *Letters* 10, 63; 64; 67).

The embassy was probably intending to present itself before Trajan, but it could still have been brought by him before the Senate. For the latest definite evidence which we have for such an appearance relates to the following reign, that of Hadrian (A.D. 117–38). The kings of the Bosphorus were the most stable and long-lasting of all the “client” dynasties of Rome, and the only one which minted (or was allowed by Rome to mint?) gold coins. The coins invariably portrayed both King and Emperor. But the titulature of the kings implicitly expressed a dual loyalty, which reflected the dual sovereignty inherent in the Empire itself: *philokaisar* and *philor*  *maios*. What that meant is spelled out in a Latin inscription in honour of Sauromates I, put up in Panticapaeum in the Crimea by the *colonia* of Sinope on the opposite coast of the Black Sea: “King Ti[berius] Iul[ius] Sauromates, an outstanding friend of the Emperor and of the *populus R[omanus]*.”²⁹

If this dual sovereignty was more important, and was reflected in our sources for a longer period than has been realized, it is still the case that actual communications with foreign powers, and even “client” kings, were always conducted by the emperor. If he chose also to bring foreign rulers, and embassies from them, before the Senate, that was at all times a gesture which did not affect the realities of decision making. It is worth noting the elaborate form which this gesture took on the latest occasion of its use, so far as our narrative sources indicate, that is, in the reign of Hadrian. This is how Cassius Dio, writing a century later, records the relevant episode (69, 15, 2):

When ambassadors were sent by Vologaeses [king of Parthia] bringing charges against Pharasmanes [king of Iberia in the Caucasus] and by the Iazyges, who wished to have peace confirmed, he introduced them into the Senate; and being commissioned to prepare the answers, he composed them himself and read them to them.

By “them” Dio seems to mean not the Senate collectively (which he refers to in the singular) but the ambassadors. Whether or not Dio is right in his clear implication that Hadrian wrote the letters himself, what he says raises acute problems about the nature of Roman diplomacy in this period, some of which have already been adumbrated.

Firstly, the practice of bringing foreign embassies before the Senate may have continued longer than has been previously supposed, and indeed into the lifetime of Cassius Dio. For a very fragmentary Latin papyrus, recently discussed for the first time as a historical source, is certainly an extract from the *acta* (proceedings) of the Senate, dates to the reign of Commodus (A.D. 180–92), and seems to show exchanges with an embassy ([*l*]egatio) which may be one from the central European tribe known as the Buri; at any rate, in a typically frustrating way, the word Bu[ri?] can be read in the papyrus. It was already known from Cassius Dio (72, 3, 1–2) that Commodus had “granted peace” to this Germanic people early in his reign.³⁰

Secondly, there are questions of procedure. In its dealings with foreign peoples, the Senate had always used, for the reception of embassies, a minimally adjusted version of its standard proceedings. It functioned essentially by the presentation of the relevant subject matter by the presiding magistrate, usually a consul or praetor, the giving of opinions by the more senior senators in order of precedence, and where necessary a vote by division. Embassies, whether appearing singly or in competition or dispute with each other, were simply heard after being introduced by the presiding magistrate, and the rest of the procedure continued as normal. As with the emperor, one could say that diplomacy was simply “embedded” in a more general framework of government, in which verbal exchanges and pronouncements played a predominant part. Like the emperor, the Senate had at its disposal no specific agency for the bureaucratic or professional management of foreign relations, or for the preparation of missives to foreign powers. It was, however, normal for inscribed texts of treaties to be put up on the Capitol (texts to nn. 9–10 above).

In the Republic, the Senate had also performed the diplomatic function of sending embassies from within its own ranks to negotiate with foreign powers. Once again, the function was embedded in the more general exercise of a public political role, and no core of specialist diplomats existed. In the Empire, however, no trace of this function can be found at all. By an odd paradox, the only embassies which the Senate now sent were ones with the function of addressing the emperor himself or members of his family.

The active conduct of foreign relations therefore rested entirely with the emperor, his advisers, and his entourage. But various problems suggested by Dio’s account of Hadrian’s dealings with the embassies from Vologaeses and the Iazyges still present themselves.

We can be sure, as mentioned above, that letters from and to Vologaeses will have been in Greek, just as the Parthian ambassadors may well have spoken in the Senate in Greek. Whoever was “in charge of Greek letters” and perhaps simultaneously responsible for receiving embassies could have dealt with Parthia exactly as he dealt with a Greek city within the Empire.

But if the rules and the language of diplomatic contact presented no problems as between a Roman emperor and a Greek-speaking, or Greek-using, kingdom, what of the Iazyges, a people of Iranian origin inhabiting the territory between Roman Dacia and the lower course of the Danube before it reaches the Black Sea? It is striking how our sources repeatedly describe verbal contacts with the barbarian peoples of Europe, as of Africa, while only rarely making the slightest allusion to the mechanics of how these exchanges were conducted.

The first thing that has to be made clear is that there is no sign of anything that could be described as permanent diplomatic representation on either side. The Romans maintained no resident ambassadors or legations either in “client” kingdoms or among any other peoples with whom they had diplomatic or military contacts. The nearest to a Roman representative that our sources offer would be the officers of military units, which are occasionally found stationed in allied kingdoms. Even this is not common; but we do find some Roman forces stationed in the kingdom of the Bosphorus, mentioned above; Roman forces were supporting a Roman nominee to the throne there in A.D. 51 (Tacitus, *Annals* 12, 15); and Josephus records that there were as many as 3,000 Roman troops in this general area in A.D. 66 (*Jewish War* 2, 16, 4, 366). Others are also attested from time to time in the Caucasus. A famous Greek inscription from Harmozica (Tiflis) of A.D. 75 also shows Vespasian, Titus, and Domitian having fortifications built “for King Mithridates of the Hiberi, son of King Pharasmanes and Iamaspos [?] his son, *philokaisar* and *philor* [̄] *maios*, and for the people of the Hiberi.”³¹ This almost certainly means that Roman forces were present. They are more clearly attested in a Latin inscription put up by a *legatus* of the *legio XII Fulminata*, from near Baku on the Caspian Sea under Domitian (A.D. 81–96)—notable as the easternmost Latin inscription so far known (*Ann. Épig.* 1951, no. 263).

However, neither permanent military occupation by Roman forces nor any other standing Roman presence should be assumed as the norm for any of the “client” or allied states on Rome’s borders. Indeed, as regards military relations, the current went the other way. It was

extremely common for barbarian or semi-barbarian peoples on Rome's borders to provide auxiliary units for the Roman army. This is an important topic which cannot be pursued here, though we may note that such units included Bosporani, and that Arminius, the victor of the famous defeat of the Roman *legatus*, Quinctilius Varus, in the battle of the Teutoburger Forest in A.D. 9, had not only led Cheruscan forces in Roman service, but was himself a Roman citizen, and even had the status of *eques* (Velleius Paterculus 2, 118, 2). It is more important to stress that the provision of military contingents for service with Rome is well attested as a specific provision of peace treaties concluding hostilities; one example will be given below.

If there was no permanent Roman diplomatic representation among allied peoples, the same is also true in the reverse direction. The notion of established representation at the political centres of foreign peoples, whether monarchies or not, was unknown in antiquity. The only representatives of foreign powers who might be living in Rome were of a different sort, namely hostages. A considerable volume of literary and inscriptional evidence illustrates the presence in Rome of hostages from a variety of regions beyond the Empire. They could indeed be regarded, as by Pliny the Elder, supplementing his knowledge of the Caucasus region, as sources of geographical information (*Nat. Hist.* 6, 23), or of course as Roman nominees in disputes over the occupancy of thrones in "client" kingdoms. There is only a narrow line between these and the children whom "client" kings often sent to Rome to be educated, as Herod the Great did with two of his sons. When Roman coinage claimed, as it on occasion did, that a king had been "given" (*datus*) to a people beyond the borders, it was often a hostage or royal child, already available, and suitably Romanized, who was sent out in this role.³²

It is only, however, in a very loose sense that such hostages or members of royal families, more or less voluntarily resident in Rome, could be considered as diplomatic representatives. To make such a claim would be on the contrary to miss the essential point that all diplomatic transactions were conducted *ad hoc* either by the dispatch of ambassadors to the seat of power, or on occasion by face-to-face negotiations conducted in person by the emperor, or a member of his family, with a foreign king.

The latter is more fully attested in the following period, the "crisis" of the third century, and increasingly so in the fourth century, where a detailed narrative is available from Ammianus Marcellinus. But

diplomacy at a distance, as conducted by Rome, is not so easy to grasp. As we have seen in sufficient detail already, the opposite process, the arrival of foreign ambassadors in Roman territory, is frequently described. For instance, the documents from the famous archaeological site of Dura-Europos on the Euphrates show a Parthian ambassador on his way to appear before Septimius Severus and Caracalla. The governor of Syria Coele gives instructions that he is to be offered upkeep in the normal manner:

Marius Maximus to the *tribuni* and *praefecti* and *praepositi numerorum*, greeting:

I have attached a copy of the letter which I have written to Minicius Martialis, *procurator* of our *Augusti*, so that you may take note of it. Take care that the quartermaster's offices of the units [*numeri*] through which Goces, an ambassador of the Parthians, sent to our Lords the most valiant Emperors, is in transit. Offer him upkeep according to the normal form. Report to me whatever is spent in each unit.³³

The document shows quite clearly that, as with the Bosporan embassy on its way through Bithynia which Pliny sent on, the movement of ambassadors sent to appear before emperors far away in Rome or elsewhere was a routine matter. If, as seems likely, the document from Dura dates to A.D. 208, the ambassador may in the end have had rather a long way to go, for in that year Severus, with his two sons, Caracalla and Geta, set off to campaign in Britain, where he died at York in 211. If Goces did only encounter Severus on campaign, facilities were still likely to have been available for his reception. A writer of the second century, Hyginus, describing a model military camp in which the imperial entourage was present, mentions the *quaestorium*, which housed ambassadors of the enemy and hostages, and in which booty, if any, was stored.³⁴

We shall come later to some evidence which does clearly illustrate the reception by the emperor of barbarian embassies while on campaign. But the problem still remains of what procedures were used by the emperors in communicating with foreign powers. The notion of letters from the emperor to kings is clearly attested. For instance, Suetonius happens to mention that Tiberius did not use the name "Augustus" except in letters to kings and dynasts (*Tib.* 26). The fact that he also used it in letters to cities does not entirely invalidate the notion that writing letters to kings and dynasts was a specific imperial function, in which the emperor needed to emphasize his superior

status. However, such letters, like those to cities discussed above, might in many cases have been carried back by ambassadors who had appeared before the emperor. In consequence, no procedure was required beyond the writing of the letter itself. But suppose no foreign embassy were to hand, and it was necessary to communicate spontaneously with a foreign power, or to conduct negotiations beyond the frontier? In the case of a king whose loyalty to the Empire was beyond question, it might have been feasible for a mere messenger to carry a letter, the counterpart of the *tabellarius* of Sauromates I on his way to deliver a letter to Trajan (Pliny, *Ep.* 10, 63, 64, 67). Such a procedure seems, however, not to be concretely attested, though it may have been employed. For any delicate situation, it is much more probable that a high-status emissary will have gone. But here too the evidence is remarkably sparse. A modest Greek historian of the mid-third century, Herodian, does however record something of the sort, in typically vague terms. In describing the exchanges after the rise of the new Persian Empire in the 220s, he relates that Severus Alexander sent Artaxerxes/Ardashir an embassy (*presbeia*) with a letter warning him of the dangers of serious conflict with Rome (6, 2, 3–4). But he says nothing of the rank or function of the person, or persons, who constituted the embassy. Then, when Alexander had reached Antioch on his way to the eastern frontier, he sent another *presbeia*. Artaxerxes sent the ambassadors back empty-handed, soon followed by 400 Persian cavalry as a diplomatically veiled threat; they were however promptly disarmed and settled in Asia Minor (6, 4, 4–6). How far Herodian's representation of these events is more than fanciful is in any case an open question.

What seems to be the only evidence from the whole of this period for an emissary of high rank conducting negotiations beyond the frontier is contained in a report by Cassius Dio of how in about 170 the Cotini, living somewhere north of the middle Danube, were able to capture and maltreat Tarutienus Paternus, the *ab epistulis Latinis* of Marcus Aurelius, on the pretext that they were going to join in combined operations against the Marcomani (71, 12, 3). It seems evident from this brief report that Paternus had been sent to them to negotiate and was thus exposed to capture. If so, it is another clear indication of the use for external purposes of a court functionary whose role, at least as far as we can grasp it, was normally related to internal correspondence (with officials or Latin-speaking communities in the Empire). It is furthermore not unlikely that, like his Greek equivalent (above), the *ab epistulis Latinis* may normally have had

some role in the reception of embassies from Latin-speaking communities. By extension, therefore, he may have been a natural choice to negotiate beyond the frontier.

That serves, however, merely to raise a further problem: in what language did one conduct negotiations with the Cotini, or with any other unsubdued people beyond the frontier? The notion that high-status Romans ever learned to speak any of the Germanic, Celtic, Thracian, or Iranian languages used beyond the frontier in the Eurasian land-mass can be safely dismissed, as can any similar notion relating to the languages of North Africa. The one possible exception here is Punic, attested as a spoken and written language throughout the period concerned.³⁵ But there is nothing to show that it actually was employed as a vehicle of diplomatic communication, spoken or written. In Mauretania, at least, it is certain, as a whole series of (Latin) inscriptions from Volubilis attests, that third-century governors held repeated negotiations (*colloquia*) with chiefs of the Baquates. One such inscription which dates from A.D. 245 records that a procurator of Mauretania Tingitana had conducted a *conloquium* with Septemazinis, chief (*princeps*) of the *gens* (tribe) of the Baquates “for the sake of establishing peace.”³⁶ Nothing is said about the language of the “colloquium”; we can however safely assume either that an interpreter was employed or that, like the *princeps* of the Zegrenses some decades earlier, Septemazinis had moved into the orbit of the Latin-using Mediterranean world.

Something comparable is clearly attested on the Rhine frontier in the early first century A.D.; chiefs of Cherusci, and indeed an ordinary rank-and-file soldier, are described as having learnt Latin as a result of military service with Rome (Tacitus, *Annals* 2, 9–10; 13). Although it is difficult to imagine that some mechanisms for mutual linguistic understanding were not employed along Rome’s frontiers, the available evidence is extraordinarily slight: a soldier of *legio I Adiutrix* at Brigetio in the early third century, described as *interprex Dacorum*, “interpreter of [with?] the Dacians” (*Ann. Épig.* 1947, no. 35); or an “interpreter of [for?]” the procurators in the bilingual (Greek and Aramaic, or even Arabic) region south of Damascus on the edge of the Syrian desert.³⁷ Such very enigmatic fragments of documentary evidence may be compared with the “chief-interpreter of [with?] the Alani” attested in the Bosporan kingdom,³⁸ without giving us any clear notion of how significant a function interpretation, on the Roman side, was conceived to be. It would be a relatively safe

assumption that the entire Roman system relied on the cultural dominance of the Graeco-Roman world to ensure that words addressed to Roman rulers or governors were in Latin or, failing that, in Greek. In the elaborately staged scene in A.D. 66 when Tiridates, a member of the Parthian royal house, came to Rome to receive the crown (diadem) of Armenia from the hands of Nero, seated on a tribunal in the Forum at Rome, an interpreter was employed to translate his words of supplication for the benefit of the crowd (Suetonius, *Nero* 13). But, as we have seen above, it is at least as likely that Tiridates was speaking Greek as Parthian; and in the latter case it would have been unlikely that any qualified interpreter could have been found. It is significant that the person who acted as interpreter on this occasion is described as being of *ex-praetor* status, that is, a relatively senior senator. Among persons of that class a fluent Greek speaker could easily be found.

Such an event, stage-managed at the centre of the Empire, leaves us entirely in the dark about the normal conduct of low-level exchanges between governors and military personnel on the one side and leaders of unsubdued peoples on the fringes of the Empire on the other. The subject obviously deserves more detailed examination, however fragmentary and enigmatic the evidence would prove. What is rather better known are certain episodes requiring major negotiations involving leading senators, members of the imperial family, or (increasingly) emperors in person. It will be worthwhile, in conclusion, to look at a few of these.

Major negotiations, or campaigns, conducted by senators who were not members of the imperial dynasties hardly outlasted the first century A.D. The tendency to concentrate all major external functions in the hands of the emperor in person is one of the most marked, and most significant, developments in imperial history. However, at the end of Tiberius' reign, for instance, the governor of Syria, Lucius Vitellius, was commissioned to meet King Artabanus of Parthia on the Euphrates to conclude an agreement. The parties are stated to have met in the middle of a bridge over the river, each with an armed escort. Afterwards Herodes Antipas, the tetrarch (effectively a minor king) of Galilee, gave a dinner in a pavilion also constructed in midstream. The proceedings concluded with the dispatch to Tiberius of Artabanus' son Darius as a hostage, accompanied by gifts including a freak, a Jew seven cubits tall (the presentation of freaks and curiosities to the Emperor would be an interesting sidelight on

imperial history, worth exploring for itself; compare those sent by an Indian king to Augustus in Strabo, *Geography* 15, 1, 73, 719, cited above).³⁹ Vitellius then duly sent a report to Tiberius, only to find that Herodes had anticipated him.

Suetonius gives a rather different account of the same episode, stressing that Artabanus crossed to the Roman side of the river and did formal obeisance to the Roman standards and the *imagines* (images) of the emperor. This symbolic procedure, for which, interestingly, the actual presence of the emperor was more and more to substitute itself, is indeed attested on various occasions in the first century.⁴⁰

The last major eastern campaign to be conducted by senators from outside the imperial house belongs to the reign of Nero (54–68). As regards the conduct of diplomacy, we find two senatorial governors in the East in 54 simultaneously sending “messengers” (*nuntii*) to warn Vologaeses of Parthia to keep the peace, provide hostages, and observe the previous *reverentia* of Parthian kings towards the *populus Romanus*. The messengers were in each case military officers, a prefect of a cohort and a centurion (Tacitus, *Annals* 12, 9). Once again the absorption of diplomatic functions within a more general framework is made clear.

Some years later, in 62, when the Parthians launched an invasion of Armenia, where the Romans had installed their nominee as king, we again find the governor of Syria, Domitius Corbulo, sending a centurion as ambassador to upbraid the Parthian king for attacking a king allied to Rome and the Roman auxiliary units which had been sent to support him. Vologaeses replied that he would send ambassadors to Nero: these later returned empty-handed (Tac., *Ann.* 14, 5–7). When a Roman army was then forced to sue for terms, the emissary sent by its commander was again an auxiliary officer (15, 15). The retreat of the Roman forces from Armenia was followed by a Parthian embassy to Nero in Rome, bringing a letter from Vologaeses, ironically stating that his own nominee for the throne of Armenia would be prepared to come to Rome to receive the diadem, but that religious prescriptions prevented him (15, 24). Yet the great campaign into Armenia which Corbulo was then ordered to conduct very rapidly ended in formal negotiations between Corbulo and Vologaeses, conducted by emissaries (again centurions on the Roman side), followed by a formal ceremony at which Tiridates, as the Parthian nominee for the throne of Armenia, laid down his diadem before an

imago of Nero (15, 24–30), to receive it back in Rome three years later, at the great ceremony already mentioned.

No similar delegation of the conduct of a major campaign occurred later. When relations with Parthia broke down again under Trajan, the Emperor himself went to the East, and our narratives show a number of minor kings from within the Parthian Empire presenting themselves before him in person. Then after two reigns, those of Hadrian (117–38) and Antoninus Pius (138–61), not marked by major wars, we reach the decisive turning point after which all major wars were conducted by the, or an, emperor; first Marcus Aurelius' co-emperor Lucius Verus, against the Parthians in 162–66, and then Marcus himself, almost continuously on the Danube frontier between the late 160s and his death there in 180. The characteristic shape of foreign relations, as they were to remain to the end of the fourth century, is already visible in Dio's description of Marcus, in his first years in Pannonia, dealing in person with delegations of barbarians from beyond the Danube (71, 11, 1–4):

Marcus Antoninus remained in Pannonia in order to give audience to the embassies of the barbarians; for many came to him at this time also. Some of them, under the leadership of Battarius, a boy twelve years old, promised an alliance; these received a gift of money and succeeded in restraining Tarbus, a neighbouring chieftain, who had come into Dacia and was demanding money and threatening to make war if he should fail to get it. Others, like the Quadi, asked for peace, which was granted them, both in the hope that they might be detached from the Marcomani, and also because they gave him many horses and cattle and promised to surrender all the deserters and the captives, besides—thirteen thousand at first, and later all the others as well. The right to attend the markets, however, was not granted to them, for fear that the Iazyges and the Marcomani, whom they had sworn not to receive nor to allow to pass through their country, should mingle with them, and passing themselves off for Quadi, should reconnoitre the Roman positions and purchase provisions. Besides these that came to Marcus, many others sent envoys, some by tribes and some by nations, and offered to surrender. Some of them were sent on campaigns elsewhere, as were also the captives and deserters who were fit for service; others received land in Dacia, Pannonia, Moesia, the province of Germany, and in Italy itself.

Very similar descriptions are given by Dio of Commodus' dealings with the barbarian peoples beyond the Danube, when Aurelius' death

left him as the emperor in 180. Among them are the Buri, whose representations may later have appeared before the Senate (text to n. 30 above). Dio writes as follows (73, 2–3):

The Marcomani by reason of the multitude of their people that were perishing and the constant ravaging of their lands no longer had an abundance of either food or men. At any rate they sent only two of their chief men and two others of inferior rank as envoys to sue for peace. And, although Commodus might easily have destroyed them, yet he made terms with them; for he hated all exertion and was eager for the comforts of the city. In addition to the conditions that his father had imposed upon them, he also demanded that they restore to him the deserters and the captives that they had taken in the meantime, and that they furnish annually a stipulated amount of grain—a demand from which he subsequently released them. Moreover, he obtained some arms from them and soldiers as well, thirteen thousand from the Quadi and a smaller number from the Marcomani; and in return for these he relieved them of the requirement of an annual levy.

Commodus granted peace to the Buri when they sent envoys. Previously he had declined to do so, in spite of their frequent requests, because they were strong, and because it was not peace that they wanted, but the securing of a respite to enable them to make further preparations; but now that they were exhausted he made peace with them, receiving hostages and getting back many captives from the Buri themselves as well as fifteen thousand from the others.

Perhaps equally significant, the image of the emperor receiving the submission of conquered barbarians has an established place in the repertoire of Roman narrative art, as represented above all on the Column of Trajan and the Column of Marcus Aurelius.⁴¹

Comparable scenes illustrating the personal role of the emperors in negotiating with barbarians or receiving their submission appear repeatedly in our narrative sources, right up to the moment in 375 when Valentinian, spending the winter at Brigetio in Pannonia, died of apoplexy on receiving an insolent answer from an embassy from the Quadi (Ammianus Marcellinus 30, 6). So far as the major issues at least were concerned, the conduct of diplomacy, at all times embedded within the successive political structures of the Roman state, had long since been absorbed by the emperors in person, who themselves had come to function more and more as commanders in the field. This apparent distortion of the nature of government seems

wholly irrational, given what we should suppose to have been the needs of a civilian population of some 50 million people. Yet immediately after Honorius and Arcadius, coming to the throne in 395, suddenly abandoned the role of commander in chief in the field, the Empire entered a period of military crisis from which the western part of it never recovered. Mysterious as it is, diplomacy, or its absence, is not the most mysterious feature of the Roman Empire.

Notes

* First published in *International History Review* 10 (1988): 345–77.

1. E. Olshausen and H. Biller, eds., *Antike Diplomatie* (Darmstadt, 1979).

2. For revolts, or their absence, and national identities and their general absence, see, e.g., S. L. Dyson, “Native Revolt Patterns in the Roman Empire,” in *ANRW* II.3 (1975), 138–75; M. Goodman, *The Upper Class of Judaea: The Origins of the Jewish Revolt of A.D. 66* (Cambridge, 1987); F. Millar, “Empire, Community and Culture in the Roman Near East: Greeks, Syrians, Jews and Arabs,” *Journal of Jewish Studies* 38 (1987): 143–64.

3. The inscription, in Parthian, Middle Persian, and Greek, is quoted from the translation by R. N. Frye, *The History of Ancient Iran* (Munich, 1984), 371–73.

4. See M. Speidel, “The Roman Army in Arabia,” *Roman Army Studies* 1 (1984): 254–58.

5. The major background survey of the evidence is C. Phillipson, *The International Law and Custom of Ancient Greece and Rome I–II* (London, 1911); for the Roman Empire the most important discussions are J. Gagé, “L’Empereur romain et les rois,” *Revue Historique* 221 (1959): 221–60; and M. Lemosse, *Le régime des relations internationales dans le Haut-Empire romain* (Paris, 1967). The present chapter also draws on some aspects of F. Millar, “Emperors, Frontiers and Foreign Relations, 31 B.C. to A.D. 378,” *Britannia* 13 (1982): 1–23 (chapter 9 in this volume).

6. For this theme, see F. Millar, “Imperial Ideology in the *Tabula Siarensis*,” in J. González, ed., *Estudios sobre la Tabula Siarensis* (Madrid, 1988). Add a typical example not used there: Pliny, *Nat. Hist.* 3, 136, quotes the inscription from the triumphal monument set up to commemorate Augustus’ subjection of a long list of Alpine peoples: “[B]ecause under his command and auspices all the Alpine *gentes*

[peoples] ... have been brought under the *imperium* of the *populus Romanus*.”

7. See J. W. Rich, *Declaring War in the Roman Republic in the Period of Transmarine Expansion* (Brussels, 1976).

8. See R. J. A. Talbert, *The Senate of Imperial Rome* (Princeton, 1984), esp. 425–30.

9. R. Mellor, “The Dedications on the Capitoline Hill,” *Chiron* 8 (1978): 319–30.

10. *Année Épigraphique* 1976, no. 678.

11. H. Halfmann, *Itinera Principum: Geschichte und Typologie der Kaiserreisen im römischen Reich* (Stuttgart, 1986).

12. On these kings, see D. C. Braund, *Rome and the Friendly King: The Character of Client Kingship* (London, 1984).

13. For this theme, note the very stimulating analysis by E. N. Luttwak, *The Grand Strategy of the Roman Empire from the First Century A.D. to the Third* (Baltimore and London, 1976).

14. J. Reynolds, *Aphrodisias and Rome* (London, 1982).

15. For this topic, see *ERW*, esp. chap. VII.

16. R. MacMullen, “The Epigraphic Habit in the Roman Empire,” *American Journal of Philology* 103 (1982): 233–46.

17. R. K. Sherck, *Roman Documents from the Greek East (Senatus Consulta and Epistulae to the Age of Augustus)* (Baltimore, 1969), no. 58, III.

18. *Corpus Inscriptionum Latinarum* X, no. 8038.

19. *ERW*, 460–61.

20. Cassius Dio, *Roman History* 54, 33, 5; 56, 25, 7.

21. For the complex issues relating to *libelli* presented to the emperor, and to the composition of the replies, see T. Honoré, *Emperors and Lawyers* (London, 1981); F. Millar, “A New Approach to the Roman Jurists,” *JRS* 76 (1986): 272–80 (chapter 19 in this volume), and “L’Empereur romain comme décideur,” in C. Nicolet, ed., *Du pouvoir dans l’antiquité: mots et réalités* (Paris, 1990), 207–20.

22. M. Euzennat, J. Marion, and J. Gascou, *Inscriptions antiques du Maroc II: Inscriptions latines* (Paris, 1982), no. 94.

23. For a prime case, see the exchanges relating to the temple of Zeus at Aezani in the province of Asia: U. Laffi, “I terreni del tempio di Zeus ad Aizanoi,” *Athenaeum* 49 (1971):3–53.

24. For this office, or evolving separate offices, see *ERW*, esp. chap. III, pts. 5–6, and V, pt. 2.

25. C. B. Welles, *Royal Correspondence in the Hellenistic Period* (New Haven and London, 1934), no. 75.

26. Published in *The Land between Two Rivers: Twenty Years of Italian Archaeology in the Middle East* (Turin, 1985), 423–25, no. 231.

27. See G. W. Bowersock, *Roman Arabia* (Cambridge, Mass., 1983), 22.

28. A. Degrassi, “Le dediche di popoli e re asiatici al popolo romano e a Giove Capitolino,” *Bulletino della commissione archeologica comunale di Roma* 74 (1952): 19–47, on p. 34, no. 20 = *Scritti vari di Antichità I* (Rome, 1962), 415–44.

29. I. Struve, *Corpus Inscriptionum Regni Bosporani* (Moscow, 1965), no. 46.

30. R. J. A. Talbert, “Commodus as Diplomat in an Extract from the *Acta Senatus*,” *ZPE* 71 (1988): 137–47.

31. *OGIS* 379 = M. McCrum and A. G. Woodhead, *Select Documents of the Principates of the Flavian Emperors* (Cambridge, 1961), no. 237.

32. See Braund, *Rome and the Friendly King* (n. 12), 9ff.

33. Recently discussed by M. L. Chaumont, “Un document méconnu concernant l’envoi d’un ambassadeur parthe vers Septime Sévère (P. Dura 60B),” *Historia* 36 (1987): 422–47.

34. Hyginus, *de munitionibus castrorum* 18, ed. and trans. M. Lenoir, *Pseudo-Hygin des fortifications du camp* (Paris, 1979).

35. F. Millar, “Local Cultures in the Roman Empire: Latin, Libyan and Punic in Roman Africa,” *Journal of Roman Studies* 58 (1968): 126–51 (chapter 12 in this volume).

36. *Inscriptions antiques du Maroc* II, no. 359.

37. R. Cagnat, *Inscriptiones Graecae ad Res Romanas Pertinentes* III (Paris, 1896), no. 1191.

38. Struve, *Corpus Inscriptionum*, no. 1053.

39. For a collection of some of the evidence, see *ERW*, 139–40.

40. Suetonius, *Cal.* 14. For the use of the imperial image as the object of obeisance by foreign rulers or emissaries, see T. Pekáry, *Das römische Kaiserbildnis in Staat, Kult und Gesellschaft* (Berlin, 1985), 54–55.

41. For this point, see J. F. Matthews in *Reallexikon für Antike und*

Christentum X (Stuttgart, 1978), col. 660, art. “Gesandtschaft.” See also N. Hannestad, *Roman Art and Imperial Policy* (Aarhus, 1986), 160–61, 231.

CHAPTER ELEVEN

Emperors, Kings, and Subjects: The Politics of Two-Level Sovereignty



No one would deny that the Roman Empire was a complex system, incorporating many different geographical zones, ethnic groups, and political formations, or that much of what we might at first want to describe as the “government” of the Empire really involved diplomacy and political relations. But perhaps not enough stress has been laid on one very important aspect of the political structure of the Empire, especially in the earlier period, namely the presence of what one might call a two-level monarchy, in which quite large populations were subject both to local kings and, indirectly, to a distant superior monarch in Rome, the emperor. This chapter is concerned to explore briefly some aspects of the complex diplomatic and symbolic relationships which this structure brought into being. One effect of it was that the public life of the dependent kingdoms was marked by a symbolic language which clearly reflected this dual sovereignty—the power and status of the local king, combined with, and overshadowed by, the unseen presence of the distant emperor. In many very visible respects, the public status of the one would depend on his symbolic association with the other.

This chapter was originally given as a lecture at the conference of the Fédération Internationale des Études Classiques in Québec in August 1994, which was the last occasion on which I had the pleasure of seeing Addi Wasserstein, and when I heard his stimulating paper on non-Hellenised Jews.¹ It was already sadly evident then that his strength was failing. I offer this article now as a small and inadequate tribute to a true scholar. Few people have more fully lived up to the old-fashioned English description of “a scholar and a gentleman.”

Dependent Kingdoms in the Early Roman Empire

We will begin with three well-known passages. Firstly, the last sentence of Strabo’s *Geography*: “Moreover, kings and dynasts and *dekarchiai* belong to his (the emperor’s) portion, and always have done.” Strabo is of course referring to the division of the Roman provinces between those of the emperor and those of the Roman

people, which he has just described.² I hope that it is no longer necessary to point out that the expression “senatorial provinces” is not merely a *mistake* but misconstrues the entire constitution of the early Empire.³ There is, incidentally, a puzzle here. It is clear enough that Strabo is asserting that kings (*basileis*) and dynasts (*dynastai*—minor rulers without the title of king) belong in the emperor’s sphere. A couple of paragraphs earlier he had said that part of Roman territory “is ruled by kings [*basileuetai*].” Apart from provincial territory proper, he goes on to say, there are free cities, and “there are also dynasts and tribal heads [*phylarchoi*] and priests [*hiereis*] [who are] under them [the Romans].”⁴ But what does Strabo mean by *dekarchiai*

(*δεκαρχίαι*)? The text must surely be wrong, for the word itself is very rarely attested, and in any case Strabo should have been speaking of a type of *person*, not of an institution described by an abstract noun. What Strabo actually wrote was surely *tetrarchai* (*τετράρχαι*). He himself had also referred earlier to the fact that, after the deposition and exile of Archelaus, the son of Herod the Great, his two brothers (Herodes Antipas and Philip) had succeeded, by much cultivation (*therapeia*) of the emperors, in retaining the tetrarchies earlier given to them.⁵

Strabo’s allusions to dependent kingdoms and other less prestigious forms of local monarchy are enough to remind us that, if we think of the fully provincial territory of the Roman Empire as it was to be a century later, a very large proportion of it, perhaps 10 per cent, had been, in the early first century, under the rule of subordinate, or intermediate, monarchs. We are dealing with quite a significant aspect of the history of governmental institutions in antiquity.

The second quotation comes from Suetonius’ *Life of Augustus*, and still looks at the kings from the point of view of Rome:⁶ “As regards the kingdoms of which he [Augustus] gained control by right of war, he returned them, apart from a few, to the same kings from whom he had taken them, or to external ones.... Nor did he treat any of them [the kings] other than as members and parts of the Empire.” It is thus assumed by Suetonius, as it had been by Strabo, that from the moment of Actium onwards the disposition of the title of king was in the hands of the emperor. It is this same assumption which lies behind my third quotation, which comes from the Gospel of Luke:⁷ “A certain nobleman journeyed to a distant country to get himself a kingdom [*basileia*], and return.... But his fellow citizens [*politai*] hated him, and

sent an embassy after him, saying ‘We do not wish this man to be king over us.’” Although no names are used, and no context is given, the reference is unmistakable. It is to Archelaus, the son of Herod, going to Rome after his father’s death, and to the embassy from the Jewish people which followed him, to demand (unsuccessfully at this moment) the ending of Herodian rule, and the attachment of Judaea to provincial territory.⁸

This parable reflects an awareness not only of the power of decision on the part of the distant emperor but of the relation of the Herodian dynasty to the people whom it ruled. Or rather, in this case, different peoples. For in fact it was not only a *Jewish* delegation which followed Archelaus—one which Josephus describes as made up of fifty men, sent “with the consent of the nation”⁹—but also, as we know from Nicolaus, separate embassies from the Greek cities.¹⁰ These too were seeking exclusion from the Herodian kingdom, just as representatives of Gadara had done, unsuccessfully, before Augustus sixteen years before.¹¹ Two of these Greek cities, Gaza and Hippos, were now, after Herod’s death, successful in separating themselves from the kingdom, and were attached to the province of Syria.¹² The subjects of a dependent king could envisage an alternative political situation, *and* knew how to seek it.

These local details are significant only as illustrations of my theme, which is the complexity, and the interest, of the political relations which were created when a kingdom or tetrarchy or *dynasteia* functioned as an element in a wider empire. Firstly, to repeat, the Roman Empire itself was a complex organisation in terms of ideology, constitution, and political structure. In a general sense, it is not misleading to describe it simply as a monarchy. But it was a monarchy which, as seen from the centre, was defined in relation to the institutions of the Roman state, the *res publica*: the Senate, certainly, but not only the Senate. In formal terms, the sovereign body of the early Empire was the Roman people. As the Tabula Siarensis shows, the proper description of the legions which were lost under Varus in A.D. 9 was “an army of the Roman people.”¹³ Seen from the provinces and the dependent kingdoms, however, the Empire was indeed, to a very large extent, personified by the emperor himself. If we needed any proof of that, it is provided by the city coinages of the early Empire, which give a very prominent place to the name and image of the emperor, and of members of his family. In this respect, as in so many others, the appearance of the first volume of *Roman Provincial*

Coinage, covering the period 44 B.C. to A.D. 69, is a landmark in the history of our subject.¹⁴ In actual practice, moreover, so far as kingdoms were concerned, relations to the emperor in person were very important: for instance in the education of royal children at Rome, of which Suetonius also speaks,¹⁵ or in personal appearances by kings at Rome before the emperor, or (occasionally) even before the Senate,¹⁶ or in formal bestowals of a diadem by the emperor in person. Much of the future history of the Empire is summed up in the scene at Rhodes in 30 B.C., when Herod appeared before Octavian without his diadem, argued that his previous loyalty to Antonius should be taken as a sign of his future loyalty to the new emperor, and was duly rewarded with the return of his diadem and confirmation as king of Judaea.¹⁷ Very soon afterwards Herod played a prominent role in escorting Octavian through Palestine to Egypt, and providing supplies for his forces, then in visiting Octavian in Egypt, and finally in escorting him again on the way back, through the Syrian region as far as Antioch.¹⁸ The escorting of the emperor on journeys by kings evidently became an established diplomatic norm; so much so that Suetonius' description of their doing so "in the manner of clients" has been largely responsible for the invention of the misleading modern term "client kings."¹⁹

It is worth noting that both in receiving Octavian at Ptolemais and (obviously) in going with him as far as Antioch, Herod was playing a very visible political role outside the bounds of his own territory. I do not, however, want to dwell on the case of Herod, partly because it is too well known. But it is worth stressing how strange it is that the three books of Josephus' *Antiquities* (15–18) which describe Herod's reign have played so little part in informing our more general conceptions of the Augustan empire. It is beyond dispute that they depend directly on the later books of the universal history of Nicolaus of Damascus;²⁰ so we thus have in effect something very close to a 200-page contemporary history of a major dependent kingdom whose affairs repeatedly engaged the emperor's personal attention in the most urgent way. This extensive narrative is thus also, to a significant degree, a history of the early imperial regime.

The political contacts of a dependent king were, however, not only with the emperor in Rome, but with the nearer Roman governors. Again, a complex balance of power was involved. On the one hand dependent kings, in the first century A.D., on occasion provided quite large forces for Roman military operations: for example, when

Vespasian advanced into Judaea in A.D. 67, about a third of his forces, some 18,000 men (thus the equivalent of at least three Roman legions), came from the allied kingdoms of Commagene, Emesa, Nabataea, and the domains of Agrippa II.²¹

On the other hand, governors might have to intervene to restore appropriate relations with kings on the fringes of the Empire who were actual or potential aggressors: we see this, for example, in the famous inscription of Silvanus Plautius Aelianus from Tibur, which indicates the formal acts of subservience required of kings, and the role of the Danube as the symbolic frontier of the Empire: “[H]e led kings, who previously were unknown to the Roman people or were hostile to it, to our side of the river, which he guarded, to pay homage to Roman arms”; it also records that Aelianus took hostages from some of them and describes how he lifted the siege of Chersonesus by the king of the Scythians.²²

Equally, the governor of the nearest major Roman province might have to intervene to prevent what seemed to be too close contacts between allied kings. The most notable example is, of course, the occasion in the early A.D. 40s when Domitius Marsus, the *legatus* (governor) of Syria, insisted on the dissolution of a meeting of allied kings called by Agrippa I at Tiberias: those who attended were Antiochus IV, the last king of Commagene, Sampsigeramus of Emesa, Cotys of Armenia Minor, Polemon of Pontus, and Agrippa’s brother, Herod of Chalcis.²³

When the issue was potentially more serious, the political relations concerned became tripartite, that is to say, king-governor-emperor. Again, there is a well-known case from Josephus, when Caesennius Paetus, the *legatus* of Syria, wrote to Vespasian in 72 or 73 to say that he suspected Antiochus IV of Commagene of connections with Parthia. Vespasian wrote back empowering Paetus to act as he thought best, and the invasion and provincialisation of Commagene followed.²⁴

For the whole period, roughly up to the end of the first century A.D., when allied kingdoms were a major feature of the structure of the Empire, such tripartite relations must have been common. We catch a passing glimpse of such communications in operation, though from the following period, in Pliny’s correspondence with Trajan from Bithynia. Firstly, a messenger from King Sauromates of the Bosphorus arrived in Bithynia with two letters: one for Pliny, saying that there was an urgent communication for Trajan, to which Pliny responded by giving the messenger a *diploma* (a permit to use official wagons) to

assist his journey; and, secondly, the letter for Trajan, of which Pliny learned no more than that it contained news which Trajan needed to know. Finally, an ambassador (*legatus*) from Sauromates arrived to find Pliny in Nicaea and stayed for two days before Pliny sent him on en route to Rome. Again, there is no indication that Pliny learned anything of the issues at stake between king and emperor.²⁵

With this episode, however, we have already passed beyond the period when dependent kingdoms played an important part in the political and military structure of the Empire in the East. For the first and early second centuries had seen a steady tendency, marked by occasional reversals, towards the eradication of dependent kingdoms and their replacement by direct provincial government. Even if we leave out complex minor cases, a summary list of major transformations from kingdom to province would include the following: Cappadocia (A.D. 18), Mauretania (42), Judaea (44), Thrace (46), Armenia Minor (64), Commagene (72 or 73), Emesa (70s?), the territories of Agrippa II (90s?), Nabataea (106). It is thus significant that, of all the major kingdoms which played such a large part in the first century A.D., the kingdom of the Bosphorus alone survived until the fourth century. Its potential strategic importance in controlling barbarian movements around the north coast of the Black Sea, was reflected in the fact that by the middle of the second century its kings were receiving a regular annual subsidy from Rome. Thus the narrator in Lucian's *Alexander* records: "There [at Aegiali on the coast of Paphlagonia] I met a party of Bosporans, ambassadors from King Eupator, sailing along the coast on their way to Bithynia to bring back the annual subsidy [*syntaxis*]." ²⁶ It remains unclear in this passing anecdote whether, having reached Bithynia, the ambassadors would have collected the cash there, or merely paid their respects to the governor (like the ambassador from Sauromates to Trajan), before going on to Rome. For what it is worth, the anecdote tends to imply that Bithynia was their actual destination. In that case, not only was tribute revenue from the nearest province being diverted directly to an important allied kingdom, but responsibility for that process rested with the governor. Diplomatic relations, direct or indirect, with the king were clearly part of his duties. The governor of Cappadocia similarly had to keep a watch on the Bosporan kingdom, as well as the kings of various regions in the Caucasus, and in a more active sense than the governor of Bithynia, in that he controlled major forces. Thus, when Arrian, addressing himself to Hadrian, has finished his description of his journey round the coast of the Pontus as far as

Dioscurias, where (he says) the *epikrateia* (dominion) of the Romans ends, he continues: “But when I learned that Cotys, the king of the Bosphorus called ‘Cimmerian,’ had died, I made it my concern to describe for you also the coastal voyage as far as the Cimmerian Bosphorus, so that in case you were making plans in relation to the Bosphorus you could do so on an informed basis.”²⁷ Both before this point in the work and after it Arrian lists a number of other kings who rule areas around the coast of the Black Sea and indicates which of them have received their kingdoms from the emperor.²⁸ But the purpose of this chapter is not primarily to look at the relations of kings and emperors but to sketch some of the other relationships to which the combination of provinces and dependent kingdoms gave rise, including those between kings and neighbouring governors.

Inevitably, since our information on Judaea is so superior to that on any other provincial area, it is there that we can see the complex relations of king and governor most clearly. The best illustration of these relations, however, happens to come not from Josephus, but from some of the later chapters of the *Acts of the Apostles*. Paul, probably in the later 50s, is in prison in Caesarea; the new *procurator* of Judaea, Festus, arrives to take up office; after three days he goes up to Jerusalem, and the “high priests” and leading Jews appear before him to renew accusations against Paul. Then, back in Caesarea, Festus holds a hearing at which Paul appears before him and appeals to Caesar. A few days later “Agrippa the king” (Agrippa II, now ruling various territories to the north-east of Judaea), and his sister Berenice arrive in Caesarea to greet Festus. It is implied that it was a routine aspect of diplomacy that he should do so for each new *procurator*. Festus persuades them to join in the hearing. The description of the council which next day heard Paul deserves to be quoted: “On the next day, after Agrippa and Berenice had arrived with great pomp and had taken their seats in the auditorium with tribunes and leading men of the city [Caesarea] and Festus had ordered Paul to be brought in ...”²⁹

In a sense this scene gives us the mirror image of the main theme which I want to stress. For what it shows is the presence and influence of an allied king inside the Roman province bordering his own domains. This was indeed a very extreme case. Agrippa II not only owned a house in Jerusalem but had the right to keep the high priestly robes, to appoint and dismiss the High Priests, and to convene the Sanhedrin.³⁰ In the years leading up to the Jewish Revolt of 66

Judaea was under a sort of dual local control, both *procurator* and king being under the adjudication of the emperor in Rome.

But what I want to emphasize, as an aspect of the history of government in the ancient world which has been too little studied, is, firstly, the symbolic presence and real influence of the emperors and the Empire within the allied kingdoms; and, secondly, the complexity of the political—and perhaps one could say also constitutional—structures within those kingdoms. All were of course, by definition, monarchies. But any monarchy, no matter how despotic it may be in intention, has to relate to existing social structures. It has to form marriage alliances either inside or outside its own kingdom, or of course both; it has to recruit a household and a court, which may be made up partly of slaves or freed slaves; it has to recruit an army, and thereby give power to its officers and commanders. It has to raise taxes, which must follow some recognised system of obligations, and cannot be wholly arbitrary. It has to have some definable relations with the various social and political units within its borders. And it is likely to develop some system of symbolisation and self-representation.

To say all this is to say no more than that any established monarchy has to be, in some sense, “constitutional,” to operate within established norms. I am thus suggesting that the post-Hellenistic, or sub-Hellenistic, monarchy of the eastern Mediterranean in the early Roman Empire is a proper subject of study in itself, if only because it represented the system within which quite a large part of the Greek-speaking world lived. But, secondly, it is of interest for two particular reasons. One is the implicit or explicit claim on the part of any political unit which defined itself as a Greek city to some degree of diplomatic consideration and respect, to the operation of internal self-government, and to self-representation in a manner which implied a degree of independence. In that sense, the late Hellenistic monarchy of the Roman period continues the pattern of the major monarchies of the Hellenistic period proper, when kings and cities co-existed in a state of tension marked by elaborately polite diplomatic language. The second reason relates to the fact that these monarchies functioned within the shadow of the Empire. Internal relations, and internal systems of self-representation, will have been profoundly affected by that fact, since they had to find a place not only for the king, but for his ultimate superior, the emperor.³¹

It would be easy to go on drawing examples from the history of

Judaea—for example, Herod's kingdom, and then that inherited by his grandson, Agrippa I, was profoundly re-structured by his foundation of two Greek cities named after the emperor, Caesarea and Sebaste—not to speak of other Greek cities like "Tiberias" and "Caesarea Panias," as well as minor places whose names also reflected the imperial dynasty, and whose status is not entirely clear: "Livias," "Iulias," and so forth. In Caesarea and Sebaste the power of Rome was explicitly symbolised from the beginning: the main temples in both cities were dedicated to Augustus, or to Roma and Augustus, as was that at Caesarea Panias.³²

There is no need to rehearse these well-known details, which we owe to the fact that Judaea, alone of all the provinces of the Empire, was the subject of a history (or rather two histories) written by a native of it. It is of more interest to ask whether we can gain any impression of social, political, and symbolic structures in other kingdoms, and to consider how far these reflect the presence of the Empire. Often, our information is only anecdotal: for instance Tacitus reports, from the year A.D. 17, that after the deaths of Antiochus of Commagene and Philopator of Cilicia these peoples were in turmoil, "most preferring Roman rule [*imperium*] and others royal."³³ How political opinion was expressed in these contexts, we do not know. Each of these kingdoms, however, contained a number of Greek cities. But we do gain an impression of how, as in Judaea, direct Roman rule could seem a desirable alternative to royal authority. Similarly, Cappadocia, until now a kingdom, became a province in the next year; and whatever the system of taxation had been under the last king, taxes were deliberately reduced by the Romans at the moment of the imposition of provincial rule, precisely to reconcile public opinion.³⁴ Another perfect, if equally brief and enigmatic, example of power relations in the shadow of Rome is provided by a further report from Tacitus, under the year 36. The episode relates to the period of rule on Cilicia by Archelaus II, the son of the recently deceased king of Cappadocia.³⁵

At about the same time the people of the Cietae, subjected to the rule of the Cappadocian Archelaus, because they were forced to undergo a census of Roman type, and to endure direct taxation, migrated to the heights of the Taurus, and by use of the terrain defended themselves against the weak royal troops, until the legionary commander [*legatus*], M. Trebellius, despatched by Vitellius, governor of Syria, with 4,000 legionaries and selected auxiliaries, besieged the two

mountains ... which the *barbari* had occupied, and forced them to surrender.

Such passing reports, though suggestive, are hardly satisfactory. This last one, however, does indicate clearly that a census of a type imitated from the (quite recently instituted) Roman provincial census could be applied within the bounds of a dependent kingdom. But it remains a mere allusion. There is no dependent kingdom other than Judaea from which we have any coherent literary evidence, and it is perhaps only in the Bosporan kingdom that we have enough internal documentary evidence, from the substantial numbers of Greek inscriptions found there, to gain a more nuanced conception of royal rule. The rest of this chapter will be concerned to explore a few relevant aspects of our evidence for this kingdom.

The Bosporan Kingdoms and the Empire

The very remarkable political formation represented by the Bosporan kingdom has perhaps not received the attention from historians of the classical world which it deserves, and it goes without saying that nothing resembling a history of it will be attempted here. Indeed a true internal social history, of the sort which, up to a certain extent, is possible for Judaea, is not in any case attainable in this case. None the less, through allusions in external literary sources, through a very remarkable corpus of inscriptions, through its coins and through archaeology, it is possible to follow in some detail the outlines of its history from the fifth century B.C. to the fourth century A.D.³⁶ Its extraordinary endurance is all the more remarkable in view of its curious geographical structure, for its main cities straddled the straits of the Cimmerian Bosphorus, leading into Lake Maeotis (the Sea of Azov), with Panticapaeum and other cities as far west as Theodosia occupying the eastern promontory of the Crimea, and Phanagoria and other minor cities situated on the opposite side of the straits, on the Taman peninsula. As we will see, in the imperial period the kings also claimed dominion over a large group of peoples living on the east side of Lake Maeotis; and the Greek city of Tanais, at the mouth of the River Tanais (the Don), and situated well over 300 kilometres from Panticapaeum, also formed part of the kingdom. Perhaps surprisingly, the kingdom seems neither to have achieved nor claimed any control of the “Tauroscythians” who occupied most of the Crimea. Even the relatively prominent Greek city of Chersonesus, on the south-west corner of the Crimea, was certainly not an integral part of the

kingdom, though from time to time in the imperial period the evidence shows the city to be in alliance with it. As we saw earlier, the governor of Moesia under Nero, Tiberius Plautius Silvanus Aelianus, had to intervene to lift the siege of Chersonesus, “which is beyond the Borysthenes (the River Dniepr),” by the king of the Scythians.³⁷ There is nothing in the text of the inscription to suggest that the Bosporan kingdom played any part.

All the more, therefore, the major Greek cities around the north-west corner of the Euxine, namely Olbia at the mouth of the River Hypanis (the Bug), and Tyras on the River Tyras (the Dniestr), in so far as they belonged to any wider political-military system, were gradually drawn into the orbit of the governors of the province of Moesia. This situation is reflected for instance in the inscription recording that “the city of the Olbiopolitai” had dedicated a bath-house on behalf of Septimius Severus, and all his house, in the governorship of Cosconius Gentianus.³⁸ But although there are occasional reflections of the presence of Roman soldiers in this area, there was nothing resembling a Roman military occupation of the north-west corner of the Black Sea coast, and the Bosporan kingdom, in spite of its established relation of diplomatic dependence on Rome, remained remarkably isolated, both geographically and strategically. For in the opposite direction also, south-eastwards round the east coast of the Black Sea, was “the dominion of the Romans,” as we earlier saw Arrian reporting, some 400 kilometres from Bosporan territory, namely at Dioscurias or Sebastopolis, where there was a Roman fort.³⁹

Even if very soon after Arrian’s report a Roman fort was established at Pityous, another 75 kilometres north-eastwards up the coast, and although as we saw, Arrian regarded the political circumstances of the Bosporan kingdom as being of great concern to Hadrian, the exposure and isolation of the Bosporan kingdom make its survival and relative stability remarkable.

In terms of our evidence, what is equally remarkable is the extensive corpus of Greek inscriptions from the kingdom, over 1,300 being known so far, of which nearly 900 come from Panticapaeum and its neighbourhood.⁴⁰ The inscriptions of the imperial period hint at the complexity of the communal, political, and administrative structure of the kingdom, illustrate the formal status and public honours of the kings, and vividly represent the presence in Bosporan public vocabulary of the Roman emperors, of the wider structure of

the Empire, and of the cities of Anatolia, above all those of the Roman province of Pontus and Bithynia, through and to which we have already seen emissaries of the kingdom making their way.⁴¹ The presence of the Roman Empire was to be symbolised from the first century to the early fourth by the fact that the kings were characteristically (and perhaps without exception), to be, like the kings of Judaea, Roman citizens with the Roman three names (*tria nomina*), retaining to the end the Julio-Claudian nomenclature “Tiberius Iulius Rhoemetalses” or “Rhescuporis” and so forth.

All that will be attempted here is to pick out a few examples from the inscriptions of the Bosporan kingdom, to illustrate the symbolic functioning of a system of dual sovereignty, of the local king and the distant, all-powerful emperor. But we will begin with a striking royal letter from Gorgippia, published in the same year, 1965, as Struve’s excellent collection of the inscriptions of the kingdom, but too late to be included in it, and remarkably neglected since.⁴² It was indeed duly noticed by Louis Robert,⁴³ but his intention to re-publish it and analyse it fully in a forthcoming *Bulletin* was never fulfilled. By the mid-1990s it had still not gained a place in *Supplementum Epigraphicum Graecum*, or in *L’Année Epigraphique*, until 1994 (as AE 1538). As subsequently revised by H. Heinen, the first of the two letters contained in the inscription runs as follows:⁴⁴

King Aspourgors *philor*  *maios* [friend of the Romans]
to Pantaleon and Theangelos,
greetings.

Being benevolently disposed towards the city of the Gorgippeis, and wishing to secure for them their rights [*ta dikaiia*], since it seemed that in many respects they had been favourable to me, but especially in having preserved themselves, during my journey up [*anabasis*] to *Sebastos Autokrator* [*Imperator Augustus*], in the most complete absence of disturbance, in accordance with the instructions [*entolai*] given by me, I rule for the future that inheritances [*kleronomiai*] should by right be retained by them according to the kinship law of Eupator. Therefore, by putting up this decree [*to dogma*] in public, see to it that this judgement of mine becomes known to all. Be well. [Year] 312. 20th of Daisios.

Like the accompanying one, this letter from King Aspourgors (A.D. 10/11–38/9) dates to the summer of 15. As a royal letter to a city, it is thus very close in time to the well-known letter of Artabanus III of Parthia, to Seleucia on the Eulaeus, of A.D. 21.⁴⁵ But there is a crucial

distinction in the presence here of a two-level monarchy. The date makes it very possible, but by no means certain, that the *Sebastos Autokrator* (*Augustus Imperator*) to whom Aspourgos had “gone up” was the new emperor Tiberius. Aspourgos evidently did not share the doubts felt in Cyprus as to whether the *praenomen* (first name) *Imperator/Autokrator* had actually been assumed.⁴⁶ But he may equally be referring to the now deceased *Imperator (Caesar divi filius) Augustus* (Imperator Caesar, son of the divine Caesar, Augustus) and to an earlier voyage. If so, he had failed to incorporate in the letter any reflection of Augustus’ recent deification. The form of the name is in fact not fully correct for either emperor.

What is important, however, is on the one hand the very concrete reflection of the dependence of a king like Aspourgos on the distant emperor in Rome. His “going up” thus perfectly mirrored the well-known journeys of the Herodian household to Rome. On the other hand we see Aspourgos’ recognition of established rights (granted in this case by the great Mithridates VI Eupator) possessed by the Gorgippeis, and his awareness of the need to address them diplomatically, and to return their goodwill. The letter is thus a reflection of the diplomatic expression both of two-level sovereignty and of the delicate relations of king and city.

In the epigraphy of the Bosporan kingdom over the next three centuries, a double conception of the kings, as monarchs and conquerors on the one hand, and as loyal subjects of Rome on the other, is visible everywhere. For instance, there is a later inscription of King Aspourgos, of the 20s, from Kerch:⁴⁷

The Great King Aspourgos, *philor* Ⲫ *maios*, descendant of King Asandrochos, *philokaisar* [friend of the Caesars] and *philor* Ⲫ *maios*, king of all the Bosporus and Theodosia and the Sindi and Maiti and Taipeii and Toreti, Psesi and Tanaiti, who has subjected the Scyths and Tauri, Menestratus ... in charge of the island, [honours] his own saviour and benefactor.

Two and a half centuries later, in the 270s, during the reign of King Tiberius Iulius Teiranes (275/6–278/9), still described as *philokaisar* and *philor* Ⲫ *maios*, we find an inscription from Panticapaeum which was set up “for the victory and permanence” of the king and his queen, Ailia, and which also gives a remarkable list of officials of the kingdom, some of them with functions relating to particular towns or districts: a *lochagos* (military commander); an official “over the *basileia* [kingdom] and Theodosia”; a man who was both *chiliarches*

(commander of a thousand) and “over the Aspourgiana”; an *archigrammateus* (chief scribe); two former *politarchoi* (civic magistrates); a former superintendent of accounts.⁴⁸ There is no time to explore these details here. But they give some impression of the complexity of relations between the king and the different elements of the kingdom.

The Bosphoran kings were unique among dependent kings in that they regularly bore the title “high priest of the Emperors for life” (*archiereus t̄ō n Sebast̄ō n dia biou*); it appears first in the reign of Cotys I (45/6–68).⁴⁹ We do not know how the king’s functions related (for instance) to those of the priest of the Kaisareion attested in the second century at Phanagoria.⁵⁰ But what is striking and important is that the kings adopted a public role which very explicitly acknowledged their subordination to a line of superior monarchs. On the other hand, the Bosphoran kings were similar to other kings in that they themselves received honours from the cities in the nearest Roman province, Pontus and Bithynia. It is indeed a very striking feature of the epigraphy both of Olbia and of the cities of the Bosphoran kingdom that cities and individuals from the northern and north-western regions of Roman Anatolia play a conspicuous part. In that sense the honours paid to the Bosphoran kings are merely a reflection of those wider economic and diplomatic connections across the Black Sea to which Rostovtzeff called attention in a famous article.⁵¹ One instance of such honours is a Latin inscription from Panticapaeum naming *Regem Ti(berium) Iu(lium) Sauromaten, amicum Imp(eratoris) populi(ue) R(omani) praestantissimum* (King Tiberius Iulius Sauromates, an outstanding friend of the Roman emperor and people) put up by the “C(olonia) I(ulia) F(elix) S(inope).”⁵² Sauromates was king from 93/4 to 123/4; the fact that, as late as this, the Roman people (*populus Romanus*) is also mentioned is quite striking. Or there is a Greek inscription of 221 put up by the city of Amastris in Pontus and Bithynia to honour King Tiberius Iulius Rhescuporis (Rhescuporis III, 210/11–226/7), who is described as “King of the Bosphorus and the surrounding *ethnē* [peoples], *philor̄ō maios* [friend of the Romans], and *philhellēn* [friend of the Hellenes].”⁵³

The diplomatics of mutual honour as displayed in the Bosphoran inscriptions could be explored endlessly. But the real operations of government are hardly revealed by the inscriptions (one inscription recording how King Iulius Tiberius Sauromates rebuilt the walls of Gorgippia is only a partial exception).⁵⁴ Rather more informative is

the inscription of 193 from Tanais, which will date to the reign of Sauromates II, and which celebrates victories against the Sirachi and Scythians, records a dedication by one Zenon “sent by the king to the *emporion* [trading station],” and refers to sea traffic from Bithynia.⁵⁵

All that I have wished to suggest in this chapter is that the allied kingdoms of the Roman period represent a significant subject, not just as so-called client kingdoms, that is, in relation to Rome, but as military, political, and social groupings of a complex kind, which represent a modest, but not insignificant, part of human history in the Graeco-Roman period. At one time there will have been several million people who lived under a form of two-level monarchy, that is, under their own king, and beyond him under the distant figure of the emperor. The period of the greatest importance of these subordinate kingdoms was the first century A.D.; and here we must look always to the history of Judaea. But the longest-lasting and most interesting of them all was the Bosporan kingdom, which survived until some point in the fourth century. It may not help the study of it in the modern world that its territory, on the two sides of the straits, is now divided between two sovereign states, Ukraine and Russia, though archaeologists from the two countries are in active collaboration.⁵⁶ But, all the same, we can now expect that this extremely important frontier of the Greek and Roman world will open up further. While study and exploration of it continues, we can already contemplate the complex symbolic relations which are embodied in some of the latest Greek inscriptions from this area, from the early fourth century. For instance, there is the dedication of A.D. 307 put up by the archons of the “Agrippeis” (Phanagoria) and the “Kaisareis” (Panticapaeum) to honour Marcus Aurelius Andronicus, who had formerly been “in charge of the kingdom [*basileia*].”⁵⁷ It is striking to see that the Roman *tria nomina*,⁵⁸ and the early imperial names of these cities, can still be used. Just as with the city foundations, or re-foundations, by Herod and his descendants, names drawn from the imperial dynasty functioned as prominent symbols of loyalism. In fact, the name “Caesarea” for Panticapaeum otherwise appears in our evidence only on city coins minted under Augustus. “The *dēmos* [people] of the Agrippeis” also appears on such coins,⁵⁹ as well as on an inscription of the Augustan period honouring Queen Dynamis *philor*  *maios* (9/8 B.C.–A.D. 7/8), and on another fragmentary inscription, probably of the second century.⁶⁰ Then, from the year before the dedication to Marcus Aurelius Andronicus, namely 306, there is a dedication from Panticapaeum to “Theos Hypsistos Epēkoos” (Supreme God Epēkoos)

put up by Sogous, who is described as “in charge of Theodosias,” as *sebastognostos* (known to the Emperor), as having been honoured by Diocletian and Maximian, and as having been given the name “Olympianus” in the provincial area.⁶¹ Here again, the distant emperors are made very visibly present in the text. Aurelius Valerius Sogous had built a *proseuchē*, by which we ought perhaps to understand a Jewish synagogue.⁶² If so, and if the “Theos Hypsistos” whom Aurelius Valerius Sogous worshipped was the Jewish God, this inscription will serve, like other undoubtedly Jewish ones from the area, to suggest how the Roman Empire had served to make a link between the two best-attested and most interesting of its dependent kingdoms, Judaea and the Bosphorus.

Notes

* First published in *Scripta Classica Israelica* 15 (*Studies in Memory of Abraham Wasserstein* I, 1996): 159–73.

1. A. Wasserstein, “Non-Hellenised Jews in the Semi-Hellenised East,” *SCI* 14 (1995): 111–37.

2. Strabo, *Geography* 17, 3, 25 (840).

3. F. Millar, “‘Senatorial’ Provinces: An Institutionalised Ghost,” *Ancient World* 20 (1989): 93–97 (= F. Millar, *Rome, the Greek World, and the East I: The Roman Republic and the Augustan Revolution*, chap. 13, 314–20).

4. *Geography* 17, 3, 24 (859).

5. *Geography* 16, 2, 46 (765).

6. Suetonius, *Div. Aug.* 48.

7. Luke 19:12–14.

8. See E. Schürer, *History of the Jewish People* I, ed. G. Vermes and F. Millar (1973), 330–35. For a powerful argument for a revised dating of the last phase of Herod’s life (winter 4/3 B.C. rather than 5/4 B.C.), see A. Kushnir-Stein, “Another Look at Josephus’s Evidence for the Date of Herod’s Death,” *SCI* 14 (1995): 73–86.

9. Josephus, *Ant.* 17, 11, 1 (300).

10. Nic. Dam., *FGrH* 90, F. 131.

11. Josephus, *Ant.* 15, 2, 3 (354–59).

12. See F. Millar, *The Roman Near East* (1993), 41–43.

13. *AE* 1984, no. 508; J. González Fernández, *Bronces jurídicos romanos de Andalucía* (1990), no. 11, fr. 1, lines 14–15 (= M. H.

Crawford, ed., *Roman Statutes* I [1996], no. 37, lines 14–15 on p. 515): “[T]he fraudulent disaster inflicted on an army of the Roman people has been avenged” (*vindicata frau[dulenta clade] exercitus p. R.*). See F. Millar, “Imperial Ideology in the Tabula Siarensis,” in J. González and J. Arce, eds., *Estudios sobre la Tabula Siarensis* (1988), 11–18 (= Millar [n. 3], chap. 15, 350–59).

14. A. Burnett, A. Amandry, and P. Ripollès, *Roman Provincial Coinage I: From the Death of Caesar to the Death of Vitellius (44 BC–AD 69)* (1992).

15. Suetonius, *Div. Aug.* 48: “And he raised and educated the sons of many of them together with his own.” See, e.g., D. Braund, *Rome and the Friendly King: The Character of the Client Kingship* (1984), chap. 1.

16. See F. Millar, “Emperors, Frontiers and Foreign Relations, 31 BC to AD 378,” *Britannia* 13 (1982): 1–23, on p. 4 (chapter 9 in this volume).

17. Josephus, *BJ* 1, 20, 1–3 (394–95); *Ant.* 15, 6, 5–7 (183–97).

18. References in Schürer (n. 8), 289.

19. Suetonius, *Div. Aug.* 60: “Kings considered friends and allies ... often would leave their kingdoms behind and perform (for him) daily chores wearing a toga and without their royal insignia, in the manner of clients, not only in Rome, but also when he was travelling in the provinces” (*Reges amici et socii ... saepe regnis relictis non Romae modo sed et provincias peragranti cotidiana officia togati ac sine regio insigni more clientium praestiterunt*).

20. See B. Z. Wacholder, *Nicholaus of Damascus* (1962), esp. 62–64.

21. See Millar (n. 12), 72.

22. *ILS* 982.

23. Josephus, *Ant.* 19, 8, 1 (338–42).

24. Josephus, *BJ* 7, 7, 1–3 (219–43).

25. Pliny, *Ep.* 10, 63–64; 67.

26. Lucian, *Alex.* 57.

27. Arrianus, *Periplus* 17.

28. *Periplus* 11; 18.

29. Acts 25–26.

30. See Schürer (n. 8), 1, 421–22.

31. For other aspects of this complex relationship, see Braund (n.

15), and earlier the very suggestive article by J. Gagé, “L’Empereur romain et les rois: politique et protocole,” *Revue Historique* 121 (1959): 221–60.

32. Josephus, *BJ*, 1, 21, 1–8 (403–16).

33. Tacitus, *Ann.* 2, 42.

34. Tacitus, *Ann.* 2, 56.

35. Tacitus, *Ann.* 6, 41. See R. D. Sullivan, “The Dynasty of Cappadocia,” *ANRW* II.7.2 (1980), 1125–68, on pp. 1167–68.

36. For a thorough survey, see V. F. Gajdukevic, *Das bosporanische Reich* (1971).

37. See text to n. 22.

38. B. Latyshev, *Inscriptiones Antiquae Orae Septentrionalis Ponti Euxini* I², 1916, no. 174 (IGR I, no. 834).

39. Text to n. 27 above. Arrian, *Periplus*, 10, 3–4; 17, 1–2; see now D. Braund, *Georgia in Antiquity* (1994), 193–94.

40. See V. Struve, *Corpus Inscriptionum Regni Bosporani* (CIRB) (1965).

41. Text to nn. 25–27.

42. T. V. Blavatatskaya, “Reskripti tsarya Aspurga,” *Sovietskaya Archeologia* 10.2 (1965): 197–209. See also S. Yu. Saprykin, “Ebratorov zakon o nasledovanii’ i yevo znachenie v istorii pontiiskovo tsarstva” (“Eupator’s Law on Inheritance,” and Its Role in the History of the Pontic Kingdom), *VDI* 197 (1991): 181–97.

43. *Bull. Épig.* 1968, 378.

44. See H. Heinen, “Fehldeutungen der *ἀσάβασις* und der Politik des bosporanischen Königs Aspurgos,” *Hyperboreus* 4 (1998): 340–61; “Zwei Briefe des bosporanischen Königs Aspurgos (*AE* 1994, 1538). Übersehene Berichtigungsvorschläge Günther Klaffenbachs und weitere Beobachtungen,” *ZPE* 124 (1999), 133–44, whence *AE* 1998, 1153.

45. C. B. Welles, *Royal Correspondence in the Hellenistic Period* (1934), no. 75.

46. T. B. Mitford, “A Cypriot Oath of Allegiance to Tiberius,” *JRS* 50 (1960): 75–79. See also F. Millar, “Ovid and the *Domus Augusta*: Rome Seen from Tomoi,” *JRS* 83 (1993): 1–17, on pp. 16–17 (= Millar [n. 3], chap. 14, 321–49).

47. *CIRB*, no. 40, cf. also no. 39.

48. *CIRB*, no. 48.
49. See Gajdukevic (n. 36), 343, and W. Blawatsky, “Le culte des empereurs romains au Bosphore,” *Mélanges Piganiol* III (1966), 1541–45.
50. *CIRB*, no. 1050: “having been appointed priest of the Kaisareion (Temple) for life.”
51. M. I. Rostovtzeff, “Pontus, Bithynia and the Bosporus,” *Pap. Brit. Sch. Athens* 22 (1916–18): 1–22.
52. *CIRB*, no. 46.
53. *CIRB*, no. 54.
54. *CIRB*, no. 1122.
55. *CIRB*, no. 1237.
56. For an overview, see J. G. F. Hind, “Archaeology of the Greeks and Barbarian Peoples around the Black Sea (1982–1992),” *Archaeological Reports* (1993): 82–112, on pp. 100–109.
57. *CIRB*, no. 1051.
58. See for comparison B. Salway, “What’s in a Name? A Survey of Roman Onomastic Practice from c. 700 BC to AD 700,” *JRS* 84 (1994): 124–45.
59. See Gajdukevic (n. 36), 328, 431; Burnett et al. (n. 14), 334–35, nos. 1936 (“of the Caesareis”) and 1935 (“of the Agrippeis”).
60. Gajdukevic (n. 36), 477; *CIRB*, no. 979 (Dynamis); 983.
61. *CIRB*, no. 64.
62. This question has of course been long debated and cannot be discussed again here. For the undoubted Jewish presence in the area, see J.-B. Frey, *Corpus Inscriptionum Iudaicarum* I² (1975), nos. 683–91; E. Schürer, *History of the Jewish People* III.1, ed. G. Vermes, F. Millar, and M. D. Goodman (1986), 36–38. For a new Jewish inscription from Phanagoria of A.D. 51, see D. I. Danshin, “Phanagoriiskaya Obschina Yudeev,” *VDI* 204 (1993): 59–72, which also presents a general review of the evidence. For Theos Hypsistos, see, e.g., J. Ustinova, “The *Thiasoi* of Theos Hypsistos in Tanais,” *History of Religions* 31 (1991): 149–80.

PART II

Society and Culture in the Empire

CHAPTER TWELVE

Local Cultures in the Roman Empire: Libyan, Punic, and Latin in Roman Africa



Introduction

No subject in the history of the Roman Empire has more significance or more pitfalls than that of the local cultures of the provinces. The evidence is in each case, with the exception of Judaea and Egypt, relatively slight, disparate, and ambiguous. But, on the one hand, the subject has very real attractions, which may lead to the building of vast but fragile historical theories, attempting to bring the distinctive culture of an area into a schematic relationship with events such as political movements or the spread of Christianity. On the other, we can never escape the possibility that the denial of the survival of a significant local culture may be falsified by new evidence; even worse, a local culture may have existed in a form which left no written records or datable artefacts.

Yet the problem must be faced, not only for the intrinsic interest which such cultures present, but for the light the enquiry sheds on Graeco-Roman civilization itself. We might conclude for one area that Graeco-Roman culture remained the merest facade, for another that it completely obliterated a native culture. More commonly, we will find a mixture or co-existence of cultures. In such a situation, again, the local element might have been culturally and socially insignificant, or, as it was in Egypt and in Judaea, embodied in a coherent traditional civilization with its own language, literature, customs, religion, and (in Egypt) art forms.

With local languages in particular, we are inevitably driven back to questions both about the role of Latin or Greek in the area and about the status of any evidence in Latin and Greek emanating from it. Was Latin or Greek the language of the towns only, or of the upper classes, or was it widespread, with the local language a mere peasant *patois* (a now common view of Punic in Africa)? Or were there linguistic enclaves, like those of the Berber in present-day North Africa? Similarly, when later Christian sources are the only evidence for the survival of a native language—as with Galatian (Celtic), Mysian,

Cappadocian, and Isaurian in Asia Minor¹—what are we to make of the Greek inscriptions or literature from these areas from the preceding centuries? Asia Minor provides further examples of the contradictions inherent in our evidence. For instance, the documents of the Roman colony of Lystra and its territory are in Greek, the majority, and in Latin, while its coin legends purely Latin.² There is nothing in the documentary evidence, beyond the appearance of a fair number of native names, to prepare us for the fact that Paul and Barnabas could be hailed as gods in Lycaonian (*Lykaonisti*) within the walls of the town.³ In Phrygian, by contrast, we have about a hundred inscriptions written in Greek script, all funerary, the great majority accompanying a Greek text, and nearly all of the third century;⁴ but the language is not referred to in any literary source until the sixth century.⁵ An approximate parallel from another region to the case of Lystra is provided by Tomoi.⁶ The inscriptions reveal an absorption of Thracian cults and a significant number of Thracian personal names in the imperial period. But the language is Greek, and they give no hint of what Ovid reveals, that Getic and Sarmatian were spoken there, and Greek often with a heavy Getic accent.⁷

This last point raises a different question relevant to local cultures, namely whether it can be shown that the Greek or Latin of any area was spoken with a distinctive accent or with distinctive verbal or grammatical forms perhaps influenced by a native language. In the two areas whose Latin vocabulary and syntax have been studied, the results are extremely surprising. H. Mihăescu's study of the inscriptions and literary works from the Danubian provinces up to the sixth century revealed no significant linguistic developments not common to the other areas of the Empire.⁸ This may be compared with the now classic demonstration by Kenneth Jackson that the vast majority of the words which passed from Latin into the Brittonic languages did so with an archaic and conservative phonology distinct from that of the vulgar Latin of the Continent; hence that the type of Latin predominantly spoken in Britain was the correct, "book Latin" of the schools.⁹ On the other hand the *graffiti* of Pompeii, for instance, show very substantial variations from "correct" Latin, and reveal that the ordinary Latin of Italians was already before 79 developing forms like those of the Romance languages.¹⁰ So are we to conclude that the population of the Danubian provinces normally spoke their native languages—and for this we have no contemporary local evidence, beyond the fairly widespread appearance of native names¹¹—and used the indistinctive, relatively correct language of their Latin inscriptions

as a learned language? Or did they speak a true vulgar Latin perhaps with local peculiarities, to which the formal inscriptions of the area offer no guide? That possibility may remind us of how much of the social history of the Roman provinces as we know it is based on the partial and unsatisfactory testimony of formal inscriptions.

The question of whether provincial Latin or Greek might be spoken with a distinctive local pronunciation is baffling precisely because there seems to be remarkably little evidence for such a thing. For instance, Philostratus' *Lives of the Sophists* gives a detailed account of the style and diction of numerous later first- to early third-century sophists, who came from places as far apart as Egypt, Arabia, Syria, Anatolia, Macedonia, Greece, Italy, and Gaul and performed before highly critical audiences in the main centres of Greek culture. Yet there is only one clear reference to a local accent, when Philostratus says of Pausanias of Caesarea in Cappadocia that he orated "with a coarse and heavy accent [*gl̄ ōtta*], as is the way with the Cappadocians. He would make his consonants collide, would shorten the long syllables and lengthen the short."¹² Philostratus also says of Apollonius of Tyana as a child "that his accent was Attic, and the sound was not influenced by his origin."¹³ The Cappadocian accent is perhaps also reflected in an incident in Gregory of Nyssa's life of Gregorius Thaumaturgus: when a peasant appointed bishop of Comana delivers his first address, an Athenian youth who is present bursts out laughing at "the charmlessness of his speech."¹⁴ Cappadocia apart, it is perhaps the correct interpretation of Dio of Prusa's first Tarsian Oration (38) that he is reproving the people of Tarsos for the peculiar accent with which they spoke Greek. Such evidence amounts to very little, and not much is added to it when one mentions a remark in the *Historia Augusta* about Septimius Severus: "He sounded somewhat African to the end of his life" (*Afrum quiddam usque ad senectutem sonans*).¹⁵ Yet the remark, whether true or false, could hardly have been made if there had been no such thing as an African accent; and the African's striving after correct diction is clearly reflected in a speech by Apuleius at Carthage: "Would any of you condone a single solecism in my speech? Would any of you tolerate one syllable pronounced 'barbarically'?"¹⁶

I

As a first step, though only as such, the languages of Roman Africa may be considered in isolation from other features of the provincial

culture. The supposed remains of “Berber” art¹⁷ (which may seem to the outsider no more than rustic Punic art), and the Punic art of the Roman period—especially the funerary *stēlai* (monuments)—which survived into the third century, and has not yet been the object of any coherent general treatment,¹⁸ may be left aside; so may the cults of Roman Africa,¹⁹ and consequent theses about the connection of Baal and Saturn and of both with the theology of African Christianity.²⁰ The isolation of one element is not merely a necessary working procedure. The example of the necropolis of Beth She ‘arim in Judaea/Syria Palestina, where the tombs of leading third-century Rabbis, perhaps of the Patriarch himself, reveal Greek inscriptions and representational decoration,²¹ warns us against assuming too readily that different “local” elements in a provincial culture necessarily cohered.

The native languages of Roman Africa were of course Punic, written in a Semitic script which can reasonably be represented in standard Hebrew lettering, and another language too often called “Berber.” The term expresses the assumption of a coherent social and linguistic continuum of the native population persisting from pre-Punic times to the present day. But “Berber” is surely an Arabic loan-word from Greek *barbaros*; for Ibn Khaldoun in the fourteenth century says that the name arose because the non-Arabic-speaking population of North Africa spoke a language of unintelligible “ber-ber” noises.²² In this context the word has no place in our period, and the assumption of a continuum is (see below), though not disprovable, extremely fragile. The non-Punic native language will here have the neutral name “Libyan,” a mere label since no ancient literary source names it at all. For convenience the relatively limited evidence for Libyan will be considered first.

As will be attested below, the paradoxical view sometimes argued, that when Augustine talks about *lingua Punica* he means Libyan (or “Berber”), has been shown to have no foundation; and without the supposed testimony of Augustine the literary evidence reduces to at best a couple of oblique references. Sallust says of Lepcis Magna: “[T]he language of this city has just been transformed by intermarriages with the Numidians; its laws and culture are mostly Sidonian.”²³ He clearly means to indicate the presence at Lepcis of some language other than Punic. Then there is, if the plural is pressed, a passing hint in Pomponius Mela’s summary of the culture of the North African coastline: “[T]he coastline is inhabited by cultivators

conforming on the whole to our habits except that some use different languages.”²⁴ Finally, it may (or may not) be the same Libyan language to which Augustine refers, when he speaks of the language of the tribes beyond the Roman frontier.²⁵

None the less, we have fairly substantial archaeological evidence for a language and script quite distinct from Punic which survived into the Roman period and, as recent discoveries have shown, has left traces all the way from the Atlantic coast to Tripolitania. This may, or may not, be the, or an, ancestor of present-day Berber; the most recent text-book on the latter²⁶ argues that the connection is as yet unproven. This is not to say that the two languages can be shown to be fundamentally different. It is rather that what we know of Libyan depends solely on parallel Punic, and sometimes Latin, inscriptions; and the vast majority of all the known Libyan inscriptions reveal no more than proper names and a few formulae.²⁷ On the other hand it is agreed that the signs used on the Libyan inscriptions very closely resemble the script known as *tifinagh* now used by the Tuareg of the Sahara.²⁸ The precise connection between the two may perhaps never be known.

The Libyan inscriptions are written in twenty-three signs of a rather rigid geometrical form (see Chabot, *RIL*, p. v), normally written in vertical lines beginning in the bottom right-hand corner. Only in the inscriptions of Dougga (*RIL*, nos. 1–2) is the text written horizontally, beginning on the right of the top line, in imitation of Punic. Nos. 1 and 2 have parallel Punic texts; they are exceptional in being building inscriptions, probably contemporary, the former from the well-known mausoleum of Dougga, and the latter from the temple of Masinissa,²⁹ constructed in the “10th year of Micipsa”—139, or 138 B.C.³⁰ Apart from those from Dougga, almost all the known Libyan inscriptions (1123 in *RIL*) seem to be from grave *stēlai*, which in form and decoration appear to be of a rustic Punic type; some have parallel Punic texts (*RIL*, p. xiii), for instance *RIL*, no. 31 from the important Libyan-Punic site of Mactar (see below). Though there can be no meaning as yet, or perhaps ever, in the statistical distribution of known texts, it is noticeable that there is a concentration from the Algerian-Tunisian border region south-east of Bône (Hippo). From here come some of the known examples of Libyan-Latin texts, for instance *RIL*, no. 85 and pl. III, V: “Faustus son of Aspernas ... Lived 75 years.” *RIL* no. 145 (= *ILAlg.* 138) has: “Nabdhzen son of Cotuzan of the tribe of Misictrus. Lived 20 years”; the name “Nabdhzen” is

recognizable in the Libyan text also. *RIL*, no. 146 (= *ILAlg* 137) would be of exceptional interest if it were certain, instead of probable, that the Libyan text is parallel to the Latin, and not a later addition; for the Latin is of a veteran who was “priest for life” (*flamen perpetuus*) in his city (*civitas*).

The Latin-Libyan bilinguals, of which not all need be noted here, suffice to show, as do the Punic-Libyan inscriptions, that we cannot think in terms of rigid linguistic enclaves; they also exclude the hypothesis, once ventured by W. M. Green,³¹ that Libyan was a “secret language” used by the peasantry to baffle strangers. Its use on grave *stēlai*, perhaps its only written use in the Roman period, was probably copied from Punic custom. We cannot hope to deduce from these texts how far, if at all, the language was in daily use.

Recent discoveries, however, have shown that it was known in some sense over the whole length of Latin North Africa. The nine Libyan inscriptions from Morocco known to Chabot are now joined by eighteen more;³² four of the total are bilingual Latin-Libyan. One of them is thought to date to the third century A.D. The Latin text reads: “Consecrated to the Gods of the Dead. Tacneidir son of Securus from Masaisulae. Lived 45 years.”³³

Libyan inscriptions have also been found in Tripolitania. A preliminary discussion of the thirty-nine known from Ghirza³⁴ suggests that they were cut on the stonework of mausolea, altars, and buildings in the settlement at a later stage in the existence of these, and that none may be earlier than the fourth century, and some perhaps much later. See now the full publication of the remains;³⁵ meanwhile, another preliminary report³⁶ records three Libyan inscriptions from Bir Bu el-Gherab in the “pre-desert” region of Tripolitania; these were on stone blocks apparently re-used in a building not later than the third century A.D.

Thus the Libyan inscriptions do little more than pose problems. But it seems clear that we are dealing with something more than a few mechanical formulae, perhaps inscribed for ritual or magical purposes; for it is clear at least that some people able to write Latin or Punic could also transliterate their names into Libyan. It was therefore certainly in some sense a “live” alphabet. On the other hand we can hardly be wrong in presuming that it was not in any sense a language of culture, and it remains still to be shown that it was a language in current ordinary use at all. But before reaching firm negative conclusions we have to remember how post-war discoveries,

archaeological and documentary, have shown that in Judaea, alongside Aramaic, both Greek and Hebrew were in more common use than had previously been supposed.³⁷

II

If we turn to Punic, the situation is quite different. Firstly, there is substantial literary testimony from the imperial period for its survival. The most important evidence is that of Augustine.³⁸ The view once promulgated that when Augustine speaks of a Punic language he means “Berber”³⁹ cannot survive the careful study by W. M. Green published in 1951.⁴⁰ The two essential points from the evidence of Augustine are firstly that the Punic language was a Semitic language related to Biblical Hebrew; and, secondly, that it was fairly widespread not only in rural bishoprics but among Augustine’s own congregation in Hippo. On the other hand it is clear that it did not rival Latin as a language of culture.⁴¹

The literary evidence other than that of Augustine stretches from the late first to the sixth century and deserves to be set out in full, in chronological order by the writers:

1. Statius, *Silvae* 4, 5, 45–46 (to Septimius Severus):

Neither is your speech, nor your dress Punic / yours is no stranger’s mind: Italian you are, Italian!

2. Apuleius, *Apologia* 98, 8–9 (on his stepson and opponent Sicinius Pudens):

He never speaks any other language but Punic, and a bit of Greek he still has from his mother; he cannot speak Latin, nor does he want to. A little while ago you heard, Maximus, the indignity of how my son-in-law, brother of the eloquent young Pontianus, stammered with difficulty isolated broken syllables.

3. Ulpian, *Lib. 2. fideicommissorum* (Dig. 32, 11, *pr.*):

Legacies can be left in any language, not only in Latin or Greek, but also in Punic or Galatian or in another people’s tongue (*fideicommissa quocumque sermone relinqui possunt, non solum Latina vel Graeca, sed etiam Punica vel Gallicana vel alterius cuiusque gentis*).

4. Ulpian, *Lib. 48 ad Sabinum* (Dig. 45, 1, 1, 6):

And if someone will pose the question in Latin to be answered in Greek, so long as the answer is appropriate, a legal obligation is created, and conversely. However, there is room for doubt as to whether this applies only to Greek, or also to another language, such

as Punic or “Assyrian” (Syriac or Aramaic?) or any other language.

5. *Epit. de Caes.* 20, 8:

(Septimius Severus) was sufficiently well educated in Latin letters, competent in conversation in Greek, and more proficient and eloquent in Punic seeing that he grew up in Leptis in the province of Africa.

6. *Historia Augusta, vita Sept. Sev.* 15, 7:

His sister who had come to visit him could hardly speak Latin and caused the Emperor to blush often on her account ... he ordered the woman to go back to her homeland.

7. Jerome, *Commentary on Galatians* 2 (Migne, *PL* XXVI, 357):

The Galatians in addition to the Greek language, spoken all over the Orient, use their own language which is the same as that used by the Treviri in Gaul, and it makes no difference to them if in consequence thereof their language is corrupted, since the Africans too have introduced changes to the Punic language.

8. Procopius, *de bello Vandalico* 2, 10, 20:

[The Phoenicians] having settled many cities held the whole of Libya up to the Pillars of Heracles; and from then to my time they have been settled there using the language of the Phoenicians.

These texts are of course of very uneven value. Apuleius is trying to discredit his stepson, and the proof that he spoke only Punic is supposed to be his speaking Latin haltingly; and the late biographical passages on Severus have little or no weight in themselves.⁴² But the two passages of Ulpian are quite another matter.⁴³ He is speaking about what is legally permissible in the first passage, and envisaging an exchange of a dubiously binding nature in the second. He is, in other words, talking about the real contemporary world, and it is not an accident that the three languages used as examples are Punic (in both cases), Celtic, and Aramaic or Syriac. It ought to follow, unless Ulpian is making a wild error, that Punic was still used by persons of something more than the lowest social standing and, from the first passage, that it was *written*—though not necessarily (see below) in Semitic script. Jerome compares with those found in Punic changes that have occurred in another living language, Galatian. The passage of Procopius is set in the very dubious context of a legend about the settlement of North Africa, supposedly referred to in an inscription of Phoenician language and lettering at Tigisis; Courtois has argued that the inscription could not have had its supposed contents, and consequently that the people did not understand it (and therefore that

in this sentence Procopius refers to Berber).⁴⁴ But the argument makes Procopius use *phoinikos* in two different senses in the same passage and proceeds too strictly from what we might presume but cannot know. The sentence is an addition by Procopius himself, who had been in Africa with Belisarius and (especially when combined with Augustine's evidence) should be taken to mean what it says.

The literary evidence may thus provide a framework against which to set the documentary evidence, from coins and inscriptions. The coin evidence is very limited: Punic lettering appears on the coins of a few cities in the early Empire, but disappears in the first half of the first century.⁴⁵ The very numerous Punic (or rather neo-Punic) inscriptions of Roman Africa, many with parallel Latin texts, are effectively impossible to survey with confidence, for they have never been assembled in any modern collection.⁴⁶ Furthermore, not only in *CIL* VIII but also in the otherwise excellent *Inscriptions of Roman Tripolitania* (IRT) (1952) the Punic parallel texts of Latin inscriptions are mentioned but not given. It may be sufficient therefore to start from the conclusion of G. Charles-Picard in his illuminating discussion of the civilization of Roman Africa:⁴⁷ extended Punic inscriptions appear roughly up to the beginning of the second century, and brief formulae up to the beginning of the third. This view is based to a large extent on Charles-Picard's own invaluable work at Mactar,⁴⁸ where nearly 130 Punic inscriptions have been found, though far from all published. Among them the latest extended texts have until recently been thought to be the three inscriptions, probably of the first century A.D., on the temple of Hathor Miskar (or Hoter Miskar); the dedicatory inscription on the frieze of the temple runs to forty-seven lines in ten columns.⁴⁹ A subsequent discovery, however, has produced two further inscriptions from the temple, one of a mere two lines, but another of eleven columns of three, five, or six lines each. It records the repair of the temple, with the names of thirty-six contributors; eighteen of them appear to have transliterated Latin names. It is suggested by the editors that the occasion cannot have been earlier than the early second century and may well have been considerably later.⁵⁰

At Lepcis Magna, neo-Punic (paralleling Latin texts) appears for the last time under Domitian,⁵¹ similarly, the newly discovered neo-Punic texts from the Wadi El-Amud in Tripolitania appear to date to the first century A.D.⁵² But a recently re-published tomb from the Gefara, the now semi-desert coastal plain stretching south-west from Sabratha and

Tripoli, has not only splendid rustic relief carvings of scenes from classical mythology, but parallel inscriptions in Latin and neo-Punic. The Latin text runs: “Consecrated to the Gods of the Dead. Quintus Apuleius Maxssimus who is also called Rideus, son of Iuzale, grandson of Iurathe. Lived 90 years. Thanubra his wife and Pudens and Severus and Maximus his most devoted children to their most beloved father (made it) with their own money.” It thus illustrates graphically the Romanisation of a prosperous local family, presumably of farmers. More important for the present purpose is the date, which, as the Latin lettering suggests, seems to be the late second century, perhaps even the early third.⁵³

The progress of discovery thus begins to indicate that Punic inscriptions which were more than brief formulae were put up at least on occasion up to the end of the second century—and not long after that Latin inscriptions too become substantially less frequent. If that were all, we should be left to ponder the apparent disparity between the disappearance of Punic inscriptions and the evidence of Ulpian, Jerome, Augustine, and Procopius. But from Tripolitania, but so far from there alone, we now have another element in the pattern.

Tripolitania has revealed a number of inscriptions written in Latin lettering but in a language that is not Latin. One comes from Lepcis (*IRT* 826) and one from Zliten on the coast not far to the east of it.⁵⁴ But the majority come from the settlements of the Roman period in the (now) “pre-desert” region of the interior. This fact was the starting point for the first attempt at a coherent treatment of these documents, by R. G. Goodchild.⁵⁵ He concluded tentatively, firstly, that the language of the documents, though showing definite Punic influence, was more probably basically Libyan; and, secondly, that these inscriptions should be later than the neo-Punic ones of the same area, and should be associated with the establishment of *limitanei* (units of soldiers posted along the border, *limes*) in the area from the early third century onwards; the recurrence of the word TRIBUNUS in the inscriptions, e.g., in *IRT* 886 (Bir ed Dreder), gave definite support to the hypothesis of a military association. Bir ed Dreder, the site of the largest group (nineteen) of these inscriptions, was described subsequently by Goodchild, and still taken to be a settlement of *limitanei* of “Romano-Libyan” culture.⁵⁶ Two further examples, from the Wadi Sofeggin and Wadi Zemzem, were published in 1955;⁵⁷ and three more, one partially in Latin, from other wadis in 1960.⁵⁸ Subsequently, however, G. Levi della Vida showed that at least

substantial parts of many of these inscriptions could actually be read as Punic, even if somewhat debased Punic.⁵⁹ The demonstration seems incontrovertible, and three more such inscriptions published since have been interpreted in the light of it.⁶⁰ It thus becomes unnecessary in principle to see these documents as the product of some novel factor in the social development of the hinterland, and to dissociate their authors, in date and otherwise, from those of the neo-Punic inscriptions of the same area.

Furthermore, in a revolutionary reappraisal of the documentary and archaeological evidence from the Tripolitanian hinterland and the forts of the *limes*,⁶¹ A. di Vita has shown, firstly, that an agricultural population of probably mixed Libyan and Punic origin, but of Punic language and culture, was firmly established in the hinterland certainly from the first century A.D. and, at any rate, long before the extension of Roman forts to cover the area from the Severan period onwards; and, secondly, that *limitanei* do not belong in the third century at all. Thus, while acquiring a new viewpoint on these inscriptions, we are deprived of the proposed chronological framework for them. Some certainly seem to be late: that at Zliten mentioned above is a graffito from a late third-century tomb; and the lettering of one (*IRT* 877), from the hill country south-west of Lepcis, is said to be fourth- or fifth-century.

III

Here at last the documentary and the literary evidence begins to come together, in time if not specifically in place. While the main result of this survey must be to reaffirm the extent of our real ignorance about African society, some partial and preliminary conclusions may be drawn.

Firstly, the Libyan alphabet was in use in Roman Africa, and the values of the signs were understood, as were probably the meanings of at least some words. The fact that it is known solely from funerary *stēlai* makes it impossible to say whether or not the language was spoken or, if so, by what sections of the population.

Extended Punic texts, written in neo-Punic script, are very rare both in public inscriptions or on private monuments after the end of the first century A.D., but are not quite unknown, while brief formulae continued to be inscribed until about the end of the second century.

There are indications that in Tripolitania at least Punic, in some form, continued to be inscribed in Latin script into the fourth century.

The evidence of what was inscribed in durable form does not, however, allow any conclusions either about what was written in non-durable form (i.e., on parchment or papyrus, or wood?) or as to what language it would have been written in. There is, it is true, not the slightest reason to think that in the Roman period any substantial literary works were written in Punic—which had never been the vehicle of a significant literary culture⁶²—or translated into it (as Greek Christian writings were, for instance, into Coptic). None the less, Augustine reveals that acrostic psalms were being composed in both Latin and Punic in his time;⁶³ were the Punic ones never written down? Ulpian's evidence suggests that legacies (*fideicommissa*) could be written in Punic in the early third century.⁶⁴

The documentary evidence not only cannot by its nature disprove the evidence of Augustine that Punic was widely spoken in Numidia in the late fourth and early fifth centuries; it now offers some trace of confirmation for it. Taken as a whole, the literary and documentary evidence surely makes it reasonable to accept that Punic was a common spoken language throughout the lifetime of Roman Africa.

Such conclusions, however, take us only a small way towards understanding the *place* of Punic in North African society, that is, its social role and its significance vis-à-vis Latin. But even though many of the known Punic inscriptions have never been published, and those that have been are not gathered in an up-to-date collection (which should include parallel Latin, and occasional Libyan, texts), we need not doubt that they would not approach the more than 30,000 Latin inscriptions known from Africa. It cannot be doubted that, as a result of the twin processes of immigration⁶⁵ and Romanisation (of which the most vivid single document is the Latin inscription of A.D. 88 from Mactar, giving the *iuvenes* [members of a young men's club] with their Libyan, Punic and Latin names),⁶⁶ knowledge of Latin was general throughout the whole area covered by the African provinces; and we cannot define any precise social level at which it remained unknown.⁶⁷ But there were still congregations in Augustine's time where Punic was necessary. On the other hand the extensive works of Tertullian and Cyprian, written entirely in Africa, contain not a single reference to Punic. Does the comparison with Augustine suggest a penetration by the church into the lower levels of the population? But even if in the second and third centuries the intellectual and public lives of the educated classes were conducted entirely in Latin, was the same necessarily true of their private lives? Among the documents in

the “Cave of Letters” was found the archive of a family from Moab (the “Archive of Babatha”); the documents in it cover the years A.D. 93/4 to 132 and are written in three languages, Nabataean Aramaic, Jewish Aramaic, and Greek.⁶⁸ Suppose that—by some chance comparable to the preservation of a Greek papyrus at Thessalonika—a family archive of the second or third, or even the fourth, century were to be discovered at Lepcis or Hadrumetum or Mactar: would it certainly be in Latin alone?

Notes

* First published in *JRS* 58 (1968): 125–51. The article has not been systematically updated, but occasional, particularly salient, items of subsequent literature have been noted.

1. See P. Charanis, “Ethnic Changes in the Byzantine Empire in the Seventh Century,” *Dumbarton Oaks Papers* 13 (1959): 23.

2. See B. M. Levick, *Roman Colonies in Southern Asia Minor* (1967), 153–54.

3. Acts 14:11.

4. *MAMA* VII, see esp. I–II, XXVII–XXVIII. See O. Haas, *Die phrygischen Sprachdenkmäler* (1966).

5. Charanis (n. 1), 23.

6. See I. Stoian, “La città pontica di Tomis, Saggio storico,” *Dacia* 5 (1961): 233; M. Danoff in *RE Supp.* IX (1962), 1397–98; I. Stoian, *Tomitana: contributii epigrafice la istoria cetății Tomis* (1962).

7. See, e.g., L. P. Wilkinson, *Ovid Recalled* (1955), chap. 10.

8. H. Mihăescu, *Limba latină în provinciile dunărene ale Imperiului roman* (1960), French résumé, pp. 290–91. Compare S. Stati, *Limba latină în inscripțiile din Dacia și Scythia minor* (1961).

9. K. Jackson, *Language and History in Early Britain* (1953), 76–77, esp. 97–98. Compare S. S. Frere, *Britannia: A History of Roman Britain* (1967), 311–12 (3rd ed., 1987, 302–3), and J. Liversedge, *Britain in the Roman Empire* (1968), 315–16.

10. V. Väänänen, *Le Latin vulgaire des inscriptions pompéiennes*³ (1966).

11. See, e.g., A. Mócsy, *Die Bevölkerung von Pannonien bis zu den Marcommanenkriegen* (1959); Mócsy, “Untersuchungen zur Geschichte der römischen Provinz Moesia Superior,” *Acta. Arch. Hung.* 11 (1959): 283; G. Alföldy, *Bevölkerung und Gesellschaft der römischen Provinz Dalmatien* (1965).

12. Philostratus, VS 2, 13 (594).

13. Philostratus, *vita* AT 1, 7.

14. Migne, PG XLVI, 937.

15. HA, *Sept. Sev.* 19, 9.

16. Apul., *Flor.* 9.

17. See W. H. C. Frend, "The Revival of Berber Art," *Antiquity* 16 (1942): 342; A. Berthier, *Les vestiges du Christianisme antique dans la Numidie centrale* (1943). Cf. G. Camps, *Aux origines de la Berbérie: monuments et rites funéraires protohistoriques* (1965), 567–68.

18. For examples and recent partial treatments, see, e.g., A. Berthier and R. Charlier, *Le sanctuaire punique d'El Hofra à Constantine* (1955); C. G. Picard, *Catalogue du Musée Alaoui*, n.s. (collections puniques), I (1956); G. Charles-Picard, "Civitas Mactaritana," *Karthago* 8 (1957); for a brief conspectus, G. Picard, *Carthage*, trans. M. Kochan and L. Kochan (1964), chap. 7. See now, however, A. M. Bisi, *Le stele puniche* (1967), esp. 113–14.

19. See the survey by G. Charles-Picard, *Les religions de l'Afrique antique* (1954).

20. See W. H. C. Frend, *The Donatist Church* (1952), 76–77; cf. M. Leglay, *Saturne Africain: monuments I–II* (1961–66).

21. See the reports by N. Avigad, *Israel Exploration Journal* 5 (1955): 205; 7 (1957): 73, 239; and M. Schwabe and B. Lifshitz, *Beth She'arim II: The Greek Inscriptions* (1967) (Hebrew with English summary). Compare B. Lifshitz, "L'Hellénisation des Juifs de Palestine: à propos des inscriptions de Besara (Beth-Shearim)," *Revue Biblique* 72 (1965): 520.

22. Ibn Khaldoun, *Histoire des Berbères et des dynasties musulmanes de l'Afrique septentrionale*, trans. de Slane, I (1925), 168.

23. Sall., *Bell. Jug.* 78.

24. Mela, *Chorographia* 1, 8, 41.

25. *de civ. dei.* 16, 6.

26. A. Basset, "La langue berbère," in *Handbook of African Languages* I (1952), 47–48.

27. The standard collection and discussion is J.-B. Chabot, *Recueil des inscriptions libyques* (RIL) I (1940–41); see however the excellent earlier discussion by S. Gsell, *Histoire ancienne de l'Afrique du Nord* I³ (1921), 309–10. Compare also J.-G. Février, "Que savons-nous du libyque?," *Revue Africaine* 100 (1956): 263. A more confident

linguistic assessment of Libyan is made by O. Rössler, "Die Sprache Numidiens," *Sybaris: Festschrift M. Krahe* (1958), 94. See now L. Galand, "Les études de linguistique berbère de 1954 à 1956," *Annuaire de l'Afrique du Nord* 4 (1965; pub. 1966): 743ff., on pp. 746–49, 750–52.

28. See, e.g., Basset (n. 26), 47.

29. See G. Camps, *Aux origines de la Berbérie: Massinissa ou les débuts de l'histoire* (Libyca 8) (1960), 283–84.

30. J. G. Février, "La constitution municipale de Dougga à l'époque numide," *Mélanges de Carthage (Cahiers de Byrsa 10)* (1964–65), 85.

31. W. M. Green (below, n. 40), p. 189.

32. See L. Galand, J. Février, and G. Vajda, *Inscriptions antiques du Maroc* (1966); the Libyan inscriptions (nos. 1–27) are edited by L. Galand, whose introductory discussion (pp. 1–36) is also the most detailed and up-to-date treatment of the Libyan script.

33. Galand (n. 32), no. 1 (pl. I, 1) = *RIL* 882.

34. J. M. Reynolds, O. Brogan, and D. Smith, "Inscriptions in the Libyan Alphabet from Ghirza in Tripolitania," *Antiquity* 32 (1958): 112.

35. O. Brogan and D. J. Smith, *Ghirza: A Libyan Settlement in the Roman Period* (1984).

36. By A. di Vita, "Archaeological News," *Libya Antiqua* 1 (1964): 142–2, with pl. LXXXI.

37. See, e.g., A. Díez Macho, "La lengua hablada por Jesucristo," *Oriens Antiquus* 2 (1963): 95. Out of a very extensive subsequent literature, note, as a collection of primary material, H. M. Cotton, W. E. H. Cockle, and F. G. B. Millar, "The Papyrology of the Roman Near East: A Survey," *JRS* 85 (1995): 214–35.

38. Only the barest essentials are given here; compare P. R. L. Brown, "Christianity and Local Culture in Late Roman Africa," *JRS* 58 (1968): 85ff.

39. W. H. C. Frend, "A Note on the Berber Background in the Life of Augustine," *Journ. Theol. Stud.* 43 (1942): 188, and *The Donatist Church* (1950), esp. 57–58; C. Courtois, "S. Augustin et le problème de la survivance de la Punique," *Revue Africaine* 94 (1950): 259; *Les Vandales et l'Afrique* (1955), 126–27.

40. W. M. Green, "Augustine's Use of Punic," *University of California Studies in Semitic Philology* 11 (1952): 179 (I owe this reference to T.

D. Barnes). See M. Simon, "Punique ou Berbère? Note sur la situation linguistique dans l'Afrique romaine," *Recherches d'Histoire Judeo-Chrétienne* (1962): 88; P.-A. Février, "Toujours le Donatisme. À quand l'Afrique?," *Riv. di Stor. e Lett. Religiosa* 2, 2 (1966): 228.

41. The most important passages for the Semitic character of the "lingua Punica" are: *In Ps.* 123, 8; 136, 18; *In Rom. imperf.* 13; *C. Petil.* 2, 239; *Quaest. Hept.* 7, 16; *Loc. Hept.* 1, 24; and for its wide distribution: *Ep.* 66, 2; 84, 2; 108, 14; 209, 2f. *Serm.* 167, 4. All quoted in Green (n. 40).

42. For these points, see T. D. Barnes, "The Family and Career of Septimius Severus," *Historia* 16 (1967): 87ff., on pp. 96–97.

43. So, rightly, R. MacMullen, "Provincial Languages in the Roman Empire," *AJPh* 87 (1966): 1ff.

44. Courtois (n. 39), 267–68. Compare the (not very effective) criticism by Ch. Saumagne, "La survivance du Punique en Afrique aux Ve et VIe siècles après J.C.," *Karthago* 4 (1953): 171ff., on p. 177.

45. L. Müller, *Numismatique de l'ancienne Afrique* II (1861); J. Mrzard, *Corpus Nummorum Numidiaae Mauretaniaeque* (1955), e.g., nos. 623–24 (Tingi).

46. The Punic inscriptions of Carthage and its vicinity (only) are contained in the *Corpus Inscriptionum Semiticarum* I (published in fascicules 1881–1962), nos. 166–6068; none appear to be from the Roman period. Others appear sporadically in the *Répertoire d'épigraphie Sémitique* I–VII (1895–1950). Note, however, J. G. Février, "Les découvertes puniques et néopuniques depuis la guerre," *Studi orientali in onore di G. Levi della Vida* I (1956), 274; J. Desanges and S. Lancel, "Bibliographie analytique de l'Afrique antique," *Bulletin d'Archéologie Algérienne* 1 (1962–65) and following issues; and J. Teixidor, "Bulletin d'épigraphie sémitique," *Syria* 44 (1967): 163 (and following issues).

47. G. Charles-Picard, *La civilisation de l'Afrique romaine* (1959), esp. 104, 109, 295.

48. G. Charles-Picard, *Civitas Mactaritana*, *Karthago* 8 (1957): esp. 25–26, 42–43, 58–60, 68, 76.

49. Text and translation, with photo, by J.-G. Février, "La grande inscription dédicatoire de Mactar," *Semitica* 6 (1956): 15.

50. J.-G. Février and M. Fantar, "Les nouvelles inscriptions monumentales néopuniques de Mactar," *Karthago* 12 (1963–64; pub. 1965): 43.

51. *IRT*, p. 80, and nos. 318 and 349a.
52. G. Levi della Vida, "Le iscrizioni neopuniche di Wadi El-Amud," *Libya Antiqua* 1 (1964): 57; for the setting and date, O. Brogan, "The Roman Remains in the Wadi el-Amud: An Interim Note," *Libya Antiqua* 1 (1964): 47–48. For a collection of the Punic inscriptions of Tripolitania, see G. Levi della Vida and M. G. Amadasi Guzzo, *Iscrizioni puniche della Tripolitania (1927–1967)* (1987).
53. O. Brogan, "Henscir el-Ausāf by Tigi (Tripolitania) and Some Related Tombs in the Tunisian Gefara," *Libya Antiqua* 2 (1965): 47, on pp. 54–55, with pls. XVII–XVIII. The neo-Punic text is given in the earlier publication by P. Berger, "Le Mausolée d'El-Amrouni," *Rev. Arch.* 26 (1895): 71.
54. R. Bartoccini, *Africa Italiana* 1 (1927): 232–33. Cf. *IRT* 852.
55. R. G. Goodchild, "The Latino-Libyan Inscriptions of Tripolitania," *Antiquaries Journal* 30 (1950): 135.
56. R. G. Goodchild, "La necropoli romano-libica di Bir ed-Dréder," *Quad. di arch. della Libia* 3 (1954): 91; for the inscriptions, see pp. 100–104.
57. J. M. Reynolds, "Inscriptions of Roman Tripolitania: A Supplement," *PBSR* 23 (1955): 124–25, nos. 20, 24.
58. O. Brogan and J. M. Reynolds, "Seven New Inscriptions from Tripolitania," *PBSR* 28 (1960): 52–53, nos. 5–7.
59. G. Levi della Vida, "Sulle iscrizioni 'latino-libiche' della Tripolitania," *Oriens Antiquus* 2 (1963): 65, and "Parerga Neopunica," *Oriens Antiquus* 4 (1965): 59.
60. O. Brogan and J. M. Reynolds, "Inscriptions from the Tripolitanian Hinterland," *Libya Antiqua* 1 (1964): 43–44, nos. 3 (partially in Latin), 4, 5.
61. A. di Vita, "Il 'limes' romano di Tripolitania nella sua concretezza archeologica e nella sua realtà storica," *Libya Antiqua* 1 (1964): 65.
62. The fairly scanty references in ancient sources to books written in Punic in the Carthaginian period are collected by S. Gsell, *Histoire ancienne de l'Afrique du Nord* IV (1920), 212–13.
63. In *Psalm* 118, 32, 8 (*PL* XXXVII, 159–60); see Green (above 41), 185.
64. One may note the bilingual Latin (*IRT* 338) and neo-Punic text from Lepcis Magna dating to A.D. 53, where the Punic translates, with

some difficulty, the expression “adopted by will” (*testamento adoptatus*). See G. Levi della Vida, *Rend. Acc. Naz. Lincei* (1949): 400–401, and cf. J.-G. Février, “Textes puniques et néopuniques relatifs aux testaments,” *Semitica* 11 (1961): 5.

65. Especially emphasized recently by L. Teutsch, *Das römische Städtewesen in Nordafrika* (1962).

66. See Charles-Picard (n. 48), 77–78.

67. The spread of Latin may be conveniently illustrated by the recent publication of fifty grave *stēlai*, many of distinctly Punic style, from Sétif (Sitifis in Mauretania) dating to the second and third centuries; all have inscriptions in Latin. See P.-A. Février and A. Gaspary, “Le Nécropole orientale de Sétif. Rapport sur les fouilles effectuées de 1959 à 1964,” *Bulletin d’archéologie algérienne* 2 (1967): 11.

68. For the publication of these texts, see now N. Lewis, *The Documents from the Bar Kokhba Period in the Cave of Letters: Greek Papyri* (1989); Y. Yadin, J. C. Greenfield, A. Yardeni, and B. A. Levine, *Hebrew, Aramaic and Nabataean-Aramaic Papyri* (2002).

CHAPTER THIRTEEN

P. Herennius Dexippus: The Greek World and the Third-Century Invasions



In the reign of Claudius, when the Scythians captured Athens and collected all the books in order to burn them, one of them, believed to be clever, prevented them, saying: “[O]ccupied with these, the Romans would not care for war.” He said so out of ignorance: had he been aware of the virtues of the Athenians and Romans, how renowned they were both in word and in war, he would not have said so.

—Petrus Patricius

Introduction

The legend of the Scythians and the books of Athens, with Petrus Patricius’ comments on it, raises precisely the most crucial question about the culture and society of later antiquity: what was the relationship between the all-pervasive literary culture of the time, with its obsessive and apparently sterile fascination with the classical past, and men’s conduct in the world? The question cannot of course be answered. If we wished to stress the positive and vital aspects of imperial Greek culture, we could partly avoid answering it by concentrating on a few figures of real intellectual stature in the second to early fourth century, and thereby pointing to a number of fields in which the Greek Renaissance saw significant, sometimes revolutionary, progress. Ptolemy, Galen, Diophantus, Origen, Plotinus, Porphyry, and Eusebius all in their different ways marked an epoch in the intellectual history of Europe. Even a man of much lesser originality, Cassius Dio, provided the Byzantine world with its definitive account of the history of Rome. But we can also try, if not to answer the question properly, at least to raise some themes directly relevant to it. Firstly, was constant reference to the classical past predominantly a neutral intellectual exercise, or a means of flight from an oppressive and inglorious present; or had it a real function in providing a frame of reference or a channel of communication, or, even more positively, in actively shaping attitudes to the present? Secondly, how far was there, as well as recurrent reference to

incidents from the classical period, any real historical exploration of other areas of the past, remote or more immediate? Thirdly, was the extraordinary stability of educational conventions and cultural forms the reflection and perhaps the product of a real continuity and stability in the lives of the educated classes? Such themes, however partially explored, may provide a standpoint from which to look at the evidence, itself fragmentary, for the life and works of P. Herennius Dexippus, in whom the writing and the making of history momentarily coalesced in 267/8, with the Herulian invasion of Athens.

Past and Present in the Greek Renaissance

Heliodorus, a sophist whom Philostratus calls an “Arab,” was sent on an embassy to Caracalla during the German expedition of 213.¹ Called before he was ready into the Emperor’s court, he overcame his embarrassment, won favour, and seized the opportunity to ask the Emperor to name a subject for an extempore oration: “And the King said: ‘I give you a hearing. Speak on the following subject: Demosthenes, after breaking down before Philip, defends himself from the charge of cowardice.’” No scene embodies more vividly the common culture of the educated classes in the Roman Empire. Heliodorus, if his homeland was the Roman province of Arabia, came from an exotic backwater of the Greek world, which was still seeing a great flowering of its highly original architecture,² where Nabataean was still spoken, at least by some,³ and where distinctive customs prevailed.⁴ Alternatively, an *Arabios* might have come from any part of the bilingual (in Aramaic or Syriac, and Greek) area stretching up to the new province of Mesopotamia⁵—which had afforded Septimius Severus the appellation “Arabicus.” He confronted an Emperor far from renowned as an intellectual, who came from the Latin-speaking environment of Rome—and at one generation’s remove from Emesa in Syria on the one side and on the other from Tripolitania, whose Punic culture was probably not quite extinct at the turn of the second and third centuries.⁶ Yet the Roman Emperor of African-Syrian descent can suggest to the “Arab” orator a theme from classical Greek history which has an immediate appositeness to their own situation. Indeed, as Dio of Prusa found on his visit to Olbia,⁷ it was those on the fringes of Greek culture who clung with especial tenacity to the common heritage of Greek literature. But even for the rest of the widespread Greek world it was Greek literature which provided the principal bond of common experience. The best-known passages and the major

historical incidents could thus serve as a frame of reference for communication. That the purposes for which the frame of reference was used were often essentially empty verbal displays need not be denied; total familiarity with the material was necessary to allow the attention of the audience to be concentrated on the style, gestures, and expression of a speaker, the verbal or historical allusions he introduced, or the coherence with which he sustained the argument of a counter-historical theme. Thus, for example, Polemo delivered orations on the themes “Xenophon refuses to survive Socrates” and “Solon demands that his laws be rescinded after Peisistratus has obtained a bodyguard.”⁸ Even such orations were expected to have a consistent logic: Ptolemy of Naucratis, for instance, was criticized for an inconsistent argument in his “The Thebans accuse the Messenians of ingratitude because they refused to receive the Theban refugees when Thebes was taken by Alexander.”⁹

Reference to the past was an essential element not only in rhetorical display but in those very numerous practical occasions of which an oration, or orations, formed an integral part. Thus Menander says that in composing a eulogy for a provincial governor “we shall find an example to illustrate this, an old story or one of our own invention, so as not to appear to be dealing in bare facts, in which there is no charm.”¹⁰ Moreover, it was the universal assumption of antiquity that historical examples (*exempla*) were no mere verbal adornment, but that their perusal was both an essential element in character training and a primary means of acquiring the political and military skills necessary for public life. It is quite unhistorical to suppose for instance that Valerius Maximus’ *Facta et Dicta Memorabilia* (*Memorable facts and deeds*) or Frontinus’ *Strategems* were empty literary exercises of no contemporary relevance; it was not for nothing that a Roman senator collected speeches of kings and other leading men from Livy and was executed for it under Domitian.¹¹ Similarly, Dio of Prusa says to Trajan in his third oration *To a King* (which refers constantly to historical figures, Philip and Alexander in particular): “Since I see, Emperor, you studying the ancients and understanding their wise and precise propositions.”¹² The memory of Alexander, whom Trajan envied as he stood on the shores of the Persian Gulf,¹³ surely influenced not only him and Caracalla¹⁴ but the overall importance given to the eastern frontier in imperial military policy.

But the selection of relevant models from the past by Roman emperors had inevitably to differ from that made by their Greek

subjects. There are traces in Dio of Prusa and in Plutarch of a deliberate effort (which was evidently necessary) to direct attention away from models of military glory in the past and toward those lessons in classical literature which were relevant to the humbler circumstances of the present. Dio, addressing the people of his native city, says:

Moreover, not only did the Spartans and the Athenians in ancient days—and certain other peoples too—through orderly behaviour in civic matters have the good fortune to make their cities great and illustrious even out of very small and weak beginnings, but such an achievement as that is possible also for those of today who wish it.... For rest assured that what is called independence, that nominal possession which comes into being at the pleasure of those who have control and authority, is sometimes impossible to acquire, but the true independence, the kind which men actually achieve, both the individual and the state obtain.¹⁵

The work which most explicitly and systematically draws the attention of contemporary Greeks to the realities of their situation, Plutarch's *Praecepta rei publicae gerendae* (*Precepts for governing a city*), distinguishes clearly between those lessons from the past which were relevant and those which were delusive:

Indeed there are many acts of the Greeks of former times by recounting which the statesman can model and correct the character of our contemporaries.... By emulating acts like these it is even now possible to resemble our ancestors, but Marathon, the Eurymedon, Plataea, and all the other examples which make the common folk vainly swell with pride and kick up their heels, should be left to the schools of the sophists.¹⁶

During the second and much of the third centuries the Greeks lived not only under Roman rule but in a profound peace which made the military virtues largely irrelevant: "This is not the right time for such things, you lead your life in a state of peace," as Dio said to the Rhodians.¹⁷ But what would happen if the situation changed, and they once again faced armed invaders before the walls of their cities? Would Marathon and Plataea still belong to the polite irrelevancies of the schoolroom?

Patterns of Greek Historiography in the Second and Third Centuries

The first great achievement of Greek historiography in the imperial

period had been the *Jewish Antiquities* of Josephus, integrating in a single narrative the history of the Jewish people from the Creation to the Revolt of A.D. 66. But it remained for a time without detectable influence, until taken up and used in Christian historiography and Byzantine world chronicles. Local histories apart, the pagan historiography of the second and third centuries took broadly three directions: scholarly rewriting of periods of the classical, and sometimes the Hellenistic, past; massive compilations of Roman history up to the present; and a remarkably flourishing historiography of the most recent past, chiefly related to the reigns of emperors, or, more specifically, to the wars fought by them. Of the first, the prime example is Arrian's *Anabasis*; there were other lesser works such as the *On the Kings Who Ruled in Syria* with which Athenaeus credits himself.¹⁸ The second produced major works, Appian's vast series on the wars of the Republic, which has never been seriously studied as a whole, and whose originality has been much underestimated by concentration on one element, the Civil Wars; Cassius Dio's *Roman History*, which, ending in A.D. 229, included nearly half a century of his own experience; and the *Chilietēris* (*Thousand years*) of Asinius Quadratus, of which only fragments remain.¹⁹

Of the writing of contemporary history we have excellent testimony in Lucian's *How to Write History*, provoked by a rash of stylistically derivative (mainly from Thucydides) and factually unreliable accounts of the Parthian campaigns of Lucius Verus; moreover, Lucian says that any other war which occurred would similarly call forth histories to recount it.²⁰ Thus the sophist Aelius Antipater recorded the "deeds" of Septimius Severus,²¹ while Herodian composed his elegant, confused, and uncomprehending account of the emperors from (one must presume) his childhood up to 238; the work itself was perhaps written towards the middle of the third century and suggests an author who remained throughout far from the centre of events.²²

The violent events of the later third century naturally (though significantly not, so far as we know, in the Latin West)²³ attracted historians of the time. Nicostratus of Trapezus seems to have covered the period 244–60,²⁴ while one Eusebius began with Octavian and went on to the death of Carus; a long surviving fragment (see below) describes the siege of Thessalonica by the Scythians.²⁵ Others combined the type of scholarly work familiar from the second century with contemporary history. Thus the Suda records an apparently third-century figure: "Ephoros of Cumae, the younger, a historian; wrote the

history of Gallienus in 27 books. *History of Corinth, On the Aleuades. Etc.*”²⁶ The same combination of scholarly and contemporary history is charmingly exhibited in what Photius records of Praxagoras, a young Athenian contemporary of Constantine.²⁷ At eighteen he wrote two books on the kings of Athens. At twenty-one he produced two books on Constantine, which went from 306 or before to the victory over Licinius and the foundation of Constantinople. Photius’ summary concludes “Praxagoras, although he was a Greek [*Hellēn*] by persuasion, said that the emperor Constantine surpassed all those ruling as kings before him in all virtues and perfection and success.” We may safely conclude that the work was published in Constantine’s lifetime, and almost certainly very soon after 324. (We shall see below a striking example of Constantine’s favour to a member of the pagan intelligentsia of Athens precisely in 326.) Praxagoras then returned to his studies, and at thirty produced six books on Alexander of Macedon. We may profitably compare him with Soterichus, a poet of Diocletian’s time, who produced among other works a eulogy of Diocletian and an epic poem on Alexander’s capture of Thebes.²⁸

A giant beside these figures was Porphyry, who revived the tradition of a universal history embracing both Greece and Rome established by Diodorus and went from the Fall of Troy to the reign of Claudius Gothicus.²⁹ More significant for the whole vision of society in history were the earliest works of Christian historiography. The *Chronica* of Hippolytus was admittedly no more than a collection of tables in which patriarchs and Roman emperors both found a place.³⁰ But the *Chronographia* of Sextus (?) Julius Africanus, for all that its author was respectably employed as an architect in the service of Severus Alexander, marks the essential step to the Judaeo-Christian world view of Byzantium. Placing the Creation of the World in 5500 B.C., and devoted essentially to a chronological alignment of Old Testament and classical history, it continued in fact to A.D. 221.³¹ Only Porphyry of pagan historians was to bridge the gap thus created by applying his knowledge of Seleucid history to make his revolutionary re-dating of the Book of Daniel.³²

These writers, however, merely exhibit by contrast the relatively limited nature of conventional pagan historiography in this period. Accepting a restricted set of literary models from the classical period, of whom Thucydides was the most important, it also followed a fairly predictable pattern of choices of subject, which was none the less genuinely responsive to contemporary events. We should hardly be

surprised to find that an eminent Athenian of the third century wrote a work on the Diadochi, a universal history up to the reign of Claudius Gothicus, and a detailed account of the barbarian invasions.

Aspects of Society and Culture in Mid-Third-Century Athens

Some time between about 250 and 262/3, Porphyry attended the Platoneia, or dinner to mark the birthday of Plato, given in Athens by his teacher Longinus. We know, from the long quotation by Eusebius³³ from Porphyry's *Lesson in Philology* (*Philologos Akroasis*), one of the subjects of conversation—namely, plagiarism in classical Greek literature. Starting from the historians, Ephorus and Theopompus, and later Herodotus and Hellanicus, they ranged over comedy and tragedy to the poets, and even to Plato himself. The company was distinguished: apart from Longinus and Porphyry, and two men not otherwise known—Prosenes the Peripatetic and Callietes the Stoic—there were Demetrius, the land measurer (Porphyry's teacher according to Proclus);³⁴ Apollonius the grammarian, probably another of the teachers of Porphyry;³⁵ Nicagoras the sophist; and Maior, who, as the Suda records,³⁶ was from Arabia, a sophist and contemporary of Nicagoras and Apsines. These last two occur together in the final paragraph of Philostratus' *Lives of the Sophists*: "About Nicagoras the Athenian, who was appointed Herald of the Eleusinian Temple, and Apsines the Phoenician and his great achievements of memory and precision I must not write, for I should be distrusted as favouring them too greatly since they are bound to me in friendship."³⁷

The area of Syria and Arabia was extraordinarily well represented in the intellectual life of third-century Athens. Apart from Porphyry, from Tyre, and Maior, there was Longinus himself, whose mother (his father is unknown) came from Emesa and was the sister of the sophist Fronto,³⁸ and Apsines from Gadara, who received consular *insignia* under Maximin.³⁹ An inscription from the Agora of a dedication to his wife by the city council gives his name more fully, Valerius Apsines.⁴⁰ A few decades later there was Callinicus of Petra, who practised rhetoric at Athens and, among other works, wrote an address (*prosp̄h̄ nētikos logos*) to Gallienus;⁴¹ a rival of his at Athens was another sophist from Petra, Genethlius, a pupil of Minucianus (see below) and Agapetus.⁴²

Nicagoras represents a different element at Longinus' table, for he is a native Athenian who comes from a family, or group of families, whose links can be traced, with some conjectures, from the later first

century B.C. to the mid-fourth and perhaps the mid-fifth century A.D. As Philostratus indicates, an important aspect of the life of this family, as of other established Athenian families (including that of Dexippus, as we shall see) was office-holding at Eleusis.⁴³ It was at Eleusis that Nicagoras put up the following inscription:⁴⁴ “Nicagoras the herald of the priests and a sophist holding the chair, descendant of the philosophers Plutarch and Sextus.” Plutarch’s own works take us back to his great-grandfather, Nicarchus, who witnessed the exactions of Antony’s forces before Actium,⁴⁵ and his grandfather, one of whose friends had once been a doctor at the court of Antony and Cleopatra in Alexandria.⁴⁶ One branch of the family, descending from Plutarch’s son Autobulus, evidently remained in Chaeronea, where they still were in the third century.⁴⁷ But that which descended through Plutarch’s nephew, the philosopher Sextus of Chaeronea, was evidently established in Athens within a few generations. The earlier links in the chain are conjectural,⁴⁸ but we reach certainty again with Mnesaeus the father of Nicagoras, and Nicagoras himself who according to the Suda⁴⁹ wrote *Lives of Famous Men, On Cleopatra in Troas*, and an embassy speech (*Presbeutikos* [i.e., *Logos*] to *Phillip the Roman Emperor* (so 244–49). His son, Minucianus, is also recorded by the Suda: “son of the sophist Nicagoras, an Athenian, a sophist, born at the time of Gallienus: composed an *Art of Rhetoric* and rhetorical exercises and various speeches.”⁵⁰ It was he, as mentioned above, who was one of the teachers of Genethlius. Moreover, it seems more than possible that we have some inscriptional evidence of him. A verse on the “Valerian” wall at Athens, whose construction (see below) is now firmly dated to the reign of Probus, mentions its construction by “Illyrius,”⁵¹ Another inscription gives a dedication to Claudius Illyrius,⁵² a native Athenian and also proconsul of Achaëa, “while Marcus Iunius Minucianus was in charge [of its execution].”⁵³ Moreover, inscriptions from Epidaurus show as priest of Asclepius in 304 “Mar(cus) Iun(ius), torch-bearer in the mysteries in Eleusis.”⁵⁴ The coincidence of date (given the new dating of the wall), the apparent coincidence of the family name (*gentilicium*), and the connection with Eleusis, surely make probable the identification of the dedicant to Illyrius with the sophist. The priest at Epidaurus could, it seems, be either Minucianus in old age, or his son, Nicagoras. For, firstly, we have another inscription of a priest at Epidaurus, “(M(arcus) [Iun(ius) son of Minucia]nus? Athenian,”⁵⁵ and, secondly, there is the famous inscription from the Tombs of the Kings at Thebes:⁵⁶

(I) the torch-bearer of the most holy mysteries in Eleusis, [Nicagoras]

son of Minucianus, an Athenian, having investigated the shafts many years after the times of the divine Plato, on my journey from Athens, was full of admiration and was grateful to the gods, and to the most pious Emperor Constantine who granted me this. Let Plato be gracious to us also here.

The full significance of the visit was not realized until after J. Baillet had published in 1922 the full version of the companion inscription, complete with the date, namely 326:⁵⁷ “In the seventh consulate of Constantinus Augustus and the first consulate of Constantius Caesar, the torch-bearer of the [mysteries] in Eleusis Nicagoras son of Minucianus, an Athenian, having investigated the divine shafts, I was full of admiration.” The event must surely signify an attempt by Constantine to show favour to, and win the favour of, the established pagan aristocracy of Athens in the period after his victory over Licinius.⁵⁸

Then, addressing the Areopagus in the 340s, Himerius recommended his young son as being descended on his mother’s side from Plutarch, Minucianus and (more immediately) Nicagoras.⁵⁹ Finally, when Proclus died in 484/5, the archon of Athens was Nicagoras the younger.⁶⁰ It is at least a legitimate speculation that the same family was still playing its traditional role.

It is possible, though the merest speculation, that other Athenian descendants of Plutarch were the Plutarchus who in 308 held a priesthood at the Asclepieum at Epidaurus,⁶¹ or the Plutarchus son of Nestorius (perhaps identical with, or more likely the son of, the hierophant of Eleusis in 375),⁶² the teacher of Proclus.⁶³ This Plutarchus does not seem to be identical with one whom an inscription of the first half of the fifth century records as having three times managed at great expense the procession in which the sacred ship was conducted up to the Acropolis in the Panathenaea.⁶⁴

The family of Minucianus remains one of the most striking examples of continuity in Athens in the imperial period. As such, it is only surpassed by the family of Honoratiane Polycharmis, a contemporary of Dexippus, who claimed descent from Pericles, Conon, and Alexander (*IG* II², 3679) and whose family tree can in fact be traced for six centuries, from the late third century B.C. to the late third century A.D.⁶⁵ But we have other lesser examples from the third century. For instance, the mid-third-century Athenian poet, T. Flavius Glaucus of Marathon, has a family tree whose ramifications lead us back to Sarapion of Chollidae, a friend of Plutarch; Flavius Zoilos of

Marathon, a member of the city council (*bouleutēs*) of Athens under Hadrian; and Isaeus, the Syrian sophist whom Pliny heard and who was Hadrian's teacher.⁶⁶ Again, an archon of Athens in the middle of the third century was T. Flavius Mondo, son of Philinus, undoubtedly a descendant of a Boeotian family, one of whom, Philinus, was also a friend of Plutarch.⁶⁷ Finally, an Athenian inscription of the Constantinian period gives the genealogy of a family which goes back ten generations, to the very end of the first century B.C.⁶⁸

These examples may help to indicate the stability of the world from which Dexippus came, and to hint strongly that that stability was not, in the long term, destroyed by the Herulian invasion. But it is still necessary to collect what we know of the intellectual life of Athens in the period immediately before and after the Herulian invasion. For, although in the state of our evidence we probably cannot answer it, we must pose the question—was the last phase of Dexippus' historical writing the product of a period of the collapse of institutions and of intellectual life? Or, in spite of the undeniable physical destruction and economic decay (see below), did the context of the life of an established office-holding intellectual family in Athens remain recognizably what it had been before?

The evidence cited above, primarily from Porphyry, the Suda, and the inscriptions, abundantly illustrates the intellectual life of Athens around and after the midcentury, and up to the reign of Gallienus—who himself, so the *Historia Augusta* alleges,⁶⁹ held the archonship at Athens.⁷⁰ Flavius Glaucus will probably have been active after the midcentury, for he dedicates an inscription to his distant cousin, Q. Statius Themistocles of Chollidae, whose father had been an ephebe in 238/9.⁷¹ Porphyry, in his life of Plotinus, adds two further items. Eubulus, the head of the Platonic school at Athens, corresponded with Plotinus during Porphyry's period with him (262/3–267/8); later Porphyry quotes Longinus' opinion of his contemporaries “the successors at Athens, Theodotus and Eubulus.”⁷² Longinus himself left Athens for Palmyra at some indeterminable date in the 260s. If we come to the period of the invasion itself, Callinicus was certainly active in the 270s (see above), and his rival Genethlius, as the pupil of Minucianus, will presumably still have been teaching in this period.

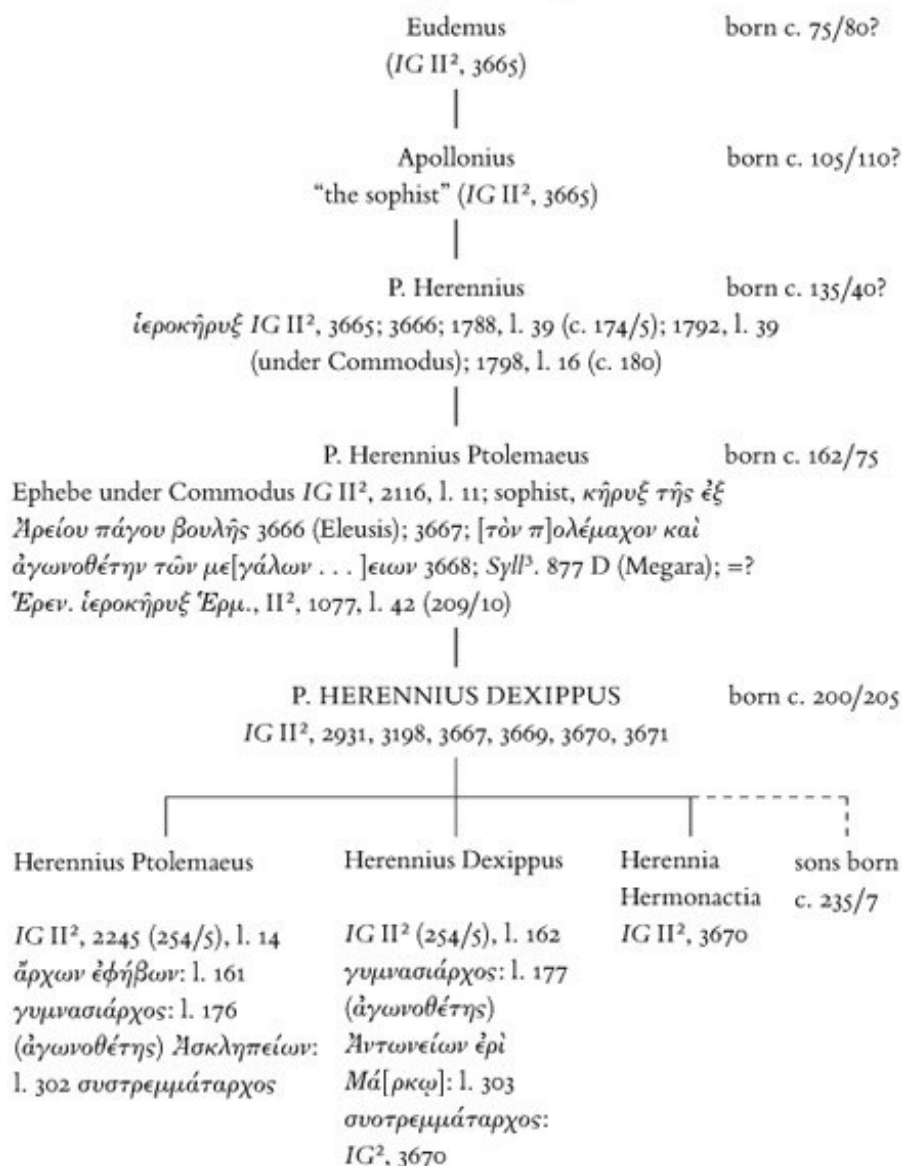
For the last quarter of the century our evidence is markedly thin. Eunapius mentions,⁷³ apparently as contemporaries of Porphyry, two prominent rhetoricians in Athens—Paulus (perhaps identifiable with an Egyptian sophist whom the Suda makes a contemporary of

Constantine);⁷⁴ and Andromachus, a Syrian, who ought to be identifiable with another man mentioned by the Suda: “Andromachus of Neapolis in Syria, a sophist, taught in the area of Nicomedia when Diocletian was emperor.”⁷⁵ It would be a reasonable guess, though no more, that Andromachus went first to Athens, like other Syrians, and moved from there to Diocletian’s court at Nicomedia, so before 305. Julian of Cappadocia (whom the Suda makes a contemporary of both Callinicus and Constantine),⁷⁶ had among his numerous pupils at Athens Prohaeresius,⁷⁷ who was born about 276 or 277;⁷⁸ even though he came after associating for a considerable time with Ulpian at Antioch,⁷⁹ this can hardly have been later than the first decade of the fourth century, and quite possibly earlier. These fragments of evidence can perhaps be supplemented by another with more definite implications. Libanius, who was born in 314, not only says that from boyhood he had heard tales of the fighting between the schools at Athens⁸⁰ but also mentions what was passed on to him by a fellow pupil at Antioch: “[H]e used to tell me, every day so to speak, the things pointed out by older men about Athens and the things happening there, going on and on about some Callinici and Telepolemi and about the force of quite a few other sophists.”⁸¹ The passage would surely read oddly if there had been any violent break in the life of the rhetorical schools at Athens between Callinicus’ time and the early fourth century.

The Family of Dexippus

We have thus some background against which to set first Dexippus’ family, and second his own life and writings. A survey of the family (see Figure 13.1)⁸² produces a number of interesting conclusions. First its chronology: his father, P. Herennius Ptolemaeus, was an ephebe under Commodus, and his grandfather, P. Herennius, *hierokēryx* (a sacred herald) about the year 174/5. The father’s birth must therefore fall in the period circa 162–75. But Dexippus’ sons appear in the ephebe list now dated 254–55,⁸³ so they must have been born in 235–37. Dexippus’ birth is therefore likely to fall in the first decade

The Family of Dexippus.



of the third century, his father's perhaps about 170, and his grandfather's perhaps 135/40. If so, the great-grandfather, Apollonius "the sophist," may have been born about 105/110, and the great-great-grandfather, Eudemus, perhaps about 75/80. He will thus have reached adulthood about the time that Plutarch's main literary activity began,⁸⁴ though, as it happens, no Eudemus is attested among Plutarch's friends.

Thus, like that of Flavius Glaucus, the family can be traced back to the late first century, but not yet forward beyond the middle of the third. Like the family of Minucianus, it shows both a recurrence of sophists in different generations, and a connection with Eleusis; two members hold the post of *hierokēryx*. With Dexippus' father the holding of important posts in Athens begins. He was herald of the Areopagus, by now one of the two principal civil offices of the city, probably involving the presidency of the Areopagus.⁸⁵ A fragmentary inscription indicates that he was also *polemarchus* (one of the archons in Athens) and agonothete (president of a festival).

The splendid ephebic inscription of 254/5⁸⁶ (the archonship of Flavius Philostratus—"Philostratus of Lemnus") shows Dexippus' two sons occupying a very prominent position, Herennius Ptolemaeus with four, and Herennius Dexippus with two, of the ephebic magistracies and liturgies which mimicked those of the city itself.⁸⁷

The Roman citizenship, the normal concomitant of prominence in a Greek city of the second century, appears (presumably) with the grandfather, P. Herennius; at any rate his descendants have the Roman three names (*tria nomina*) with "Herennius" as the *gentilicium*. It is not possible to suggest the source of the name—unless it goes back in some way to L. Herennius Saturninus, proconsul of Achaëa early in Trajan's reign.⁸⁸ Dexippus thus came from a family that was firmly established in the public and intellectual life of Athens, though of relatively recent prominence.

Dexippus' Life and Career

If these calculations are not misleading, Dexippus was a man of relatively advanced years, perhaps in his mid-sixties, when he led the Athenians against the Heruli. Eunapius, the continuator of Dexippus' *History* (see below), appears indeed to credit him with a still longer life: speaking of Porphyry, he says, "it so happened that he lived to the times of Gallienus and Claudius, Tacitus, Aurelian, and Probus. At that time there lived also Dexippus who composed an annalistic history [*chronikē historia*], a man full of erudition [*paideia*] and logical power."⁸⁹ As will be shown, Dexippus' writing can hardly have been completed before the mid 270s; he may very well, therefore, have lived on into the reign of Probus (276–82).

A number of inscriptions illustrate his role and career in Athens, though none gives dates for specific offices. Three inscriptions give the essentials. In *IG* II², 3670 he appears as having served as "archon

basileus, eponymous archon, and the most distinguished [*kratistos*] holy priest.” The order of the first two items is clearly chronological; the eponymous archonship was in any case the senior post,⁹⁰ *kratistos*, which is commonly, but not invariably, used with the names of Areopagites from the second century onwards,⁹¹ may perhaps indicate that Dexippus was an equestrian.⁹² The title *hiereus panagēs* seems to be that of a relatively minor priesthood at Eleusis, whose functions are unknown,⁹³ if so, Dexippus was continuing a family tradition.

Another inscription from Athens (*IG* II², 3198) adds a further function, agonotheite of the Great Panathenaic games, and states that he restored the mast and crosspiece of the Sacred Ship, on which the *peplos* (the robe of Athena) was draped when carried in the Panathenaic procession.⁹⁴

The main inscription of Dexippus (*IG* II², 3669) repeats these posts and functions and adds (that he served as) “*panēgyriarchus* and agonotheite of the great Panathenian games at his own expense.” Here again there is a connection with Eleusis, for the only known function of the *panegyriarchus* was to feed the visitors to the Eleusinian festival.⁹⁵ Like his restoration of “the mast and crosspiece of the Sacred Ship,” these functions illustrate the familiar liturgical role of the rich magnate in a Greek city.

This inscription comes from a statue base now in the Louvre,⁹⁶ which was originally erected in the first half of the second century with an inscription (*IG* II², 3625) honouring one Epictetus, and was re-used for Dexippus; its exact original site does not seem to be recorded. The inscription in honour of Dexippus was put up by his sons “on the request of the council of the Areopagites and the council [*boulē*] of the 750 and the Athenian people.”⁹⁷ The council of 750 is firmly attested only here; the increased number perhaps indicates a change from annual to permanent membership, and more securely suggests financial stringency and a need for the burden of membership to be spread more widely.⁹⁸ There is no indication of date, but we can be certain that it is subsequent to the Herulian invasion, for the poem which follows mentions Dexippus’ writing of contemporary history. As we shall see, the earlier of the two works which may be referred to cannot have been completed before about 270. None the less, we could hardly guess from the inscription that Dexippus had ever seen military action. The introductory formula concludes: “to the rhetor and writer on account of his virtue, his sons.” Rhetoric was not a new occupation for the family, and it is the novel literary pursuit, the

writing of history, rather than the repulse of the Heruli, on which the poem which follows concentrates:

Mighty in courage, in word, and in counsel are the famous men whom the land of Cecrops has produced, of whom one is Dexippus, who observed and truly recorded the history of long ages. Some events he witnessed himself, some he gathered from books, composing an all-embracing history. O famous man, who, casting wide the scope of his thought, studied the events of long ages! Widespread in Hellas is the fame which the recent reputation of his history has given Dexippus. For this his sons jointly set up this statue representing their father.

We may thus see Dexippus as the product of a well-established Athenian family, which in the previous generation had risen to major office in the city, and was clearly now to be numbered among the most prominent, if it was not indeed the most prominent, of the citizens. At this point, with Dexippus' sons and daughter, we lose sight of the family—unless (as there is no positive reason to suppose) the fourth-century Dexippus, a Neoplatonist and follower of Iamblichus,⁹⁹ was a descendant. The historian Dexippus came from a city whose intellectual life was in full flower and was pursued both by the aristocratic local families and by men of learning coming from other parts of the Greek world. By contrast, it is significant that while some men from Athens in the third century belonged to the Roman Senate,¹⁰⁰ the family of Dexippus, like that of Minucianus, did not. The rise of provincial and local families into the Roman aristocracy is of course one of the great themes of imperial history. Athens provides examples of a different phenomenon, the maintenance over generations, sometimes over centuries, of a prominent position in the intellectual and political life of the city by families whose members could easily have sought Roman office, but who did not choose to do so. There was a real sense in which Athens remained a capital, not a provincial city; and this fact can hardly have failed to affect the standpoint from which a prominent Athenian wrote history.

Dexippus' Historical Works

The fullest account of Dexippus' writings is given by Photius:¹⁰¹ "Read, by Dexippus *Events after Alexander* in four books; also read by him another *Historical Summary*, covering the actions up to the reign of the monarchy down to the reign of Claudius; and read by him the *Scythica*." Both of the two last-mentioned works were completed when Dexippus was an elderly man, and it must be probable, though not

certain, that it was the least original of his works, the *Events after Alexander* in four books, which was written first. Most of what we know of it comes from the extensive summary by Photius (F 8), which concludes: “[H]e surveys the rest, writing on the whole in agreement with Arrian in many details, as also in these.” Arrian’s own *Events after Alexander* went down to 321/0 (FGrH 156 F II), so we may assume that Dexippus’ did likewise. The few fragments (F 31–36) we have of it all, except the first, come from the *Excerpta de sententiis* (*Excerpts on opinions*), and therefore tend to generality. They come from a section in the narrative corresponding to the sixth book of Arrian’s work (156 F 9 (13)–(15)), and nearly all derive from a speech by Hyperides. Whether there was in fact any significant Athenian bias in the work we cannot tell. The fragments do suffice, however, to show that this was, as Photius indicates, a work of substantial length, with the normal complement of speeches by leading characters. An unoriginal literary and scholastic composition, it could have been written at any time in Dexippus’ adulthood. We may recall that Praxagoras was to complete his six books on Alexander at the age of thirty.

The work which Dexippus probably wrote next, the *Historical Summary*, referred to variously as the *Chronikē Historia*, *Chronika*, or *Syvntomon Historikon*, was a considerably more substantial undertaking in twelve books which, as Evagrius notes,¹⁰² began with the mythical period and continued to the reign of Claudius. The *History* did indeed begin with mythical times: the earliest fragment which survives refers to the colonization of Rhodes by the Lacedaimonians driven out by the Heraclids (F 9). Here, he was not content, however, with following a single predecessor, but used a variety of sources, thought for himself about the proper means of indicating chronology, and expressed due caution about the early period. All this emerges from a long description of his methods given by his continuator, Eunapius (F 1):

Dexippus the Athenian arranged his *History* by Athenian archon-years [from the period when archons began], adding in addition the Roman consuls, though the work starts at a point before either existed. The first principle of his *History* was that, in regard to the legendary period, he should leave the question of factual probability to the reader to believe as he thought fit. In the later periods, where there is more evidence, it should be collected and subjected to more rigorous historical examination. Indeed he [also] uses as a strict chronological framework the Olympiads, and for the intervening years, the

[Athenian] archons. After a most elegant prooemium he proceeds further and displays the seriousness of the contents, leaving aside and disregarding the too remote and mythical period as being like an out-of-date drug disapproved of by men of understanding. Making his own calculation of Egyptian chronology, and seeking out the earliest and least contaminated source for the history of each people, he sets out the major historians and demonstrates with evidence the falsehoods which each has repeated from another. He collects the material for his *History* from many and various sources, collecting and arranging it like a variety of useful wares in a single shop. Simply sketching and fitting into his narrative all events in history worthy of note, and any individual deeds which have earned especial fame, he brings his work down to the reign of Claudius, that is the first year of the reign, with which it both began and ended (some give Claudius a second year). Then he makes a calculation of Olympiads and consulships and archon-years, making the total a millennium, as if afraid to put an account for too many years before his readers.

From this it is clear that the structure of the *History* was annalistic, a procedure which caused some difficulty to its author. Almost exactly like Porphyry, he took the mythical period of Greek history as a starting point and related Roman chronology to Greek: in this the work differed fundamentally from the Roman histories of Cassius Dio and Asinius Quadratus, which started from the myths of the foundation of Rome.

The finishing point is given slightly differently by a fragment of Eusebius' *Chronicle* (F 2): "Indeed Dexippus, composing his *History* down to the 222nd Olympiad, says that in that year Dionysius defeated Alexander." (It is of some interest that the Olympic Games were *held* a year after the Herulian invasion.)

The Herulian invasion itself was at least referred to in the *History*, appearing, as we would expect, in book XII (F 5). It is possible indeed that there was certain concentration on the third century, for a fragment from book X (F 4) refers to the capture of Dyrrachium by some force whose identity is not given; the third century is, as Jacoby assumed, the most probable setting. The possibility of such a concentration is at least not contradicted by the pattern of the other surviving fragments. One (F 10) refers to Alexander, and one (F 11) to the reappearance of the phoenix in the first century A.D.,¹⁰³ while a third (F 12) compares the Roman Empire with its predecessors. All the rest refer to events in the third century.

The significance of this distribution is, however, greatly reduced by the fact that all except one of the third-century fragments attributed to the *History* come from the *Historia Augusta*. Against the fact (see below) that the author of the *Historia Augusta* undoubtedly knew something about Dexippus' role in 267/8, we must set his habit, not only of inventing authorities, but of attributing to real ones things which they did not say, or even could not have said.¹⁰⁴ For instance we have *Vita Max.* 33, 2 "when Dexippus, and Arrian and many other Greeks wrote." Apart from two details relating to Severus Alexander (F 13, 14), and one (F 23) on the death of Quintillus, all the fragments concern the events of the year 238. There seems no way even of establishing reasonable guesses as to which, if any, actually come from Dexippus, and for the moment they must be left out of account in trying to reconstruct the *History*.¹⁰⁵

The remaining third-century fragment (F 22) comes from Syncellus' narrative of Decius' operations against the Goths in 250/1, "as Dexippus tells," ending with his death at the Abrittus, and the accession of Gallus and Volusianus "who ruled according to Dexippus for eighteen months having done nothing worthy of note; according to others they ruled for three years, and according to others for two years." The indication of the length of reign may serve to suggest that the quotation is from the *History*. But it raises the question of the relationship between this work and the *Scythica*, which must inevitably have dealt with many of the same events.

Of the *Scythica* we have two brief descriptions. Photius (T 5) completes his list "and also read by him is the *Scythica*, in which he recorded the wars of the Romans and the Scythians against each other and deeds worthy of note." Evagrius (*HE* 5, 24 = T 6) also gives the *Scythica* last, and implies more clearly that the work was written last, or at least came after the *History* in the manuscripts: "[A]nd Dexippus has done much work on these matters, starting from mythical times and stopping at the reign of Claudius the successor of Gallienus; he has encompassed what was done by the Carpi and other barbarian tribes in their attacks on Greece, Thrace and Ionia" (trans. Whitby). We should in fact naturally assume that the *Scythica* is the later work, for it carries on later, at least into the first year of Aurelian. If that is so, then Dexippus, having completed his general history, decided to go over again the history of the Gothic invasions.

It is tempting to find a garbled reference to his starting point in *HA*, *vita Max. et Balb.* 16, 3 (= T 20): "[U]nder them the Carpi fought

against Moesia. This was also the beginning of the Scythian war. At that time occurred the destruction of Histria but, as Dexippus says, of the Histrian community.” If this is correct, he began his main narrative with the year 238. At some point (perhaps in the preface?) he seems, on the testimony of Jordanes, to have traced the origin and migrations of the Vandals: “from the stock of the Asdingi, which is eminent among them and stands for a most bellicose nation, as the historian Dexippus relates, who testifies that it took them almost a whole year to travel from the Ocean to our territories due to the gigantic size of the land [in between].”¹⁰⁶

We have, however, to proceed largely on a priori assumptions to determine which fragments of Dexippus relating to this period come from which of his two major works. When for instance we find an excerpt (F 6) relating to Aurelian headed “from the History of Dexippus. Book 3,” the title of the work as given might suggest that the *History* went on further than our authorities state; only the book number makes the conclusion that this is the *Scythica* secure. None of the other presumed fragments of the *Scythica* (F 24–30) carries any indication of title or book number. However, we can use as a starting point the literary character of F 6 itself, a full description, with speeches by both sides, of negotiations between Aurelian and the Iuthungi; we can reasonably attribute to the same work (rather than to an *Historical Summary* at least F 26—the siege of Philippopolis—which includes Decius’ immensely long “letter,” which is very much longer than any documentary imperial letter known from this period;¹⁰⁷ and F 28, the Herulian invasion, and Dexippus’ own speech to his men. The fact that all the surviving fragments of this work come from the Byzantine Excerpts *de sententiis* (*On opinions*) and *de strategematibus* (*On tactics*) may well give us a distorted picture of the work as a whole. But it remains significant that it was here, not in the *History*, that the excerptors found long accounts of “stratagems” (all from sieges of cities in fact), and substantial speeches replete with interesting sentiments. This impression may be confirmed by Photius’ remark on the style of Dexippus (T 5): “Another Thucydides with a certain clarity, but especially in the Scythian histories.” A careful examination of the text has in fact shown numerous Thucydidean reminiscences in these fragments.¹⁰⁸ The work was clearly on an ample scale, though we cannot guess at its actual length. It is hardly likely that it could have been finished (even supposing that it did not reach the end of Aurelian’s reign) before the mid 270s.

We can thus draw a reasonably confident picture of the development of Dexippus' historical writing. He began with a quite unoriginal work of a traditional type, on Alexander, and followed it with a laboriously compiled chronicle from the mythical Greek past to the end of the reign of Claudius Gothicus. It cannot have been completed less than a couple of years after the repulse of the Heruli; when his sons' poem says: "Some events he witnessed himself, some he gathered from books," the reference *may* be to the *History* alone. At this point he will not have been less than sixty and was probably rather older. We can only assume (especially for lack of information on the end point of the work) that it was his own role in the repulse of the Heruli which prompted him to describe again, more fully, and with all the conventions of Thucydidean historiography the crowded military history of the mid-third century.

The *Scythica*

This is not the place for a re-examination of the evidence for the third-century wars with which Dexippus' *Scythica* was concerned. But the fragments themselves (apart from that on the Herulian invasion, which will be treated separately) do merit a few remarks, for they represent, along with the *Canonical Epistle* of Gregorius Thaumaturgus¹⁰⁹ and the thirteenth Sibylline Oracle,¹¹⁰ the main contemporary evidence from within the Greek world for the period of the invasions.

If Evagrius' description of it (see above) were our only evidence, we should believe that the *Scythica* dealt solely with the Greek East—Thrace, Greece, and Ionia. The pattern of the surviving fragments almost confirms this. They relate to five episodes, in chronological order: the siege of Marcianopolis (F 25) in perhaps 248; the siege of Philippopolis (F 26–27) in 250/1; the siege of Side in Lycia (F 29), whose date is unknown but which follows F 26 in the Excerpts; the Herulian invasion (F 28); and Aurelian's negotiations with the Iuthungi in Pannonia. Thus only the last takes us outside the Greek area, and there is no indication that events on the Rhine and in Gaul were touched on at all. By contrast, the historian Eusebius did make, in connection with the siege of Thessalonica, a passing reference to the siege of a Gallic city, evidently Tours, and to the Gallic Empire; but even here the impression is of places and events far away and of only marginal interest.¹¹¹ With Dexippus, it may be suggested tentatively that we are approaching a "Byzantine" viewpoint, with the

inhabitants of the principal Greek areas—the Balkans, Greece, and Asia Minor—embattled against the barbarian threat. The suggestion gains some substance from the remarkably uniform style and tone of these fragments. In each case the primary protagonists are the barbarians and the inhabitants of a Greek city: the barbarians attack, the inhabitants resist, various stratagems are tried by both sides and finally the barbarians depart. Thus, for instance, the account of the siege of Marcianopolis names and describes in glowing terms the leader of the defenders, Maximus, and recounts the ruses of the inhabitants; it ends “when they [the barbarians] could not hold out any longer, they withdrew without having achieved anything.” We happen to have from Jordanes another tradition (not necessarily more truthful) which gives a quite different version: “They assailed Marcianopolis, the famous metropolis of the same land, and after a long siege, having received money from the inhabitants, they withdrew.”¹¹² Very similar phraseology appears at the end of Dexippus’ account of the first siege of Philippopolis (F 22, quoted by Syncellus, also recorded the second, and successful, siege).¹¹³ Here he ends “when they were at a loss in every respect, they decided to withdraw” (F 27 (11)), while with the siege of Side (F 29) we have “when the delay turned out to be unprofitable for the Scythians, and there was no hope, they withdrew.” Once again, while we are at the mercy of the excerptors, it remains significant that these recurrent themes were there to be found.

The heroes of these episodes are, as stated, the inhabitants of the Greek cities—though, rather surprisingly Dexippus tends to refer to them by ethnic names, “the Mysoi” (F 25 (6)), “the Thracians” (F 27 (11)); the Roman army does not appear. Indeed, we have something more positive than that, a direct statement in the account of the siege of Philippopolis that Decius was afraid of the revolutionary consequences of the people taking too readily to arms, and sent his long “letter” (in fact given by Dexippus in a form like that of a speech) to restrain them: “Decius, the Emperor of the Romans ... stood in dread of the Thracian force, fearing lest out of it might come some disturbance affecting the stability of the empire” (F 26 (1)).

The two fragments (F 6–7) relating to Aurelian’s negotiations with the Iuthungi, which should be dated to 270,¹¹⁴ have necessarily a quite different focus. Moreover, although most of the long first fragment is taken up with speeches by the barbarian embassy and by Aurelian, both made up substantially of Thucydidean sentiments on

the subject of war and peace,¹¹⁵ there is also a definite factual content. We have (F 6 (2)–(3)) a fine description of the Emperor and his army receiving the embassy; opposite him are “the standards ... of the selected force.” Is this not contemporary evidence for the formation of the “field army,” the later *comitatenses*?¹¹⁶ There are also references to the abandonment of payments to the Iuthungi, and their demands for their restoration; to the barbarian forces, 40,000 horse and 80,000 foot; to the spoils which the Iuthungi had brought from Italy; and to an earlier Roman defeat of 120,000 “Scyths.” The second, briefer, fragment contains no speeches but has striking details of Aurelian, after a Vandal embassy, putting the issue of war and peace to his assembled army; the handing over of hostages and the introduction into the Roman army of 2,000 Vandal horse;¹¹⁷ and the establishment (as was the rule also both in the second and in the fourth century)¹¹⁸ of a forum where the barbarians were to conduct all trade with the province. Aurelian sends on the main part of the army to Italy and a few days later follows on, “leading the accompanying force which surrounded him [*taxis etairikē*] [*comites*?—or are these the *protectores*?]¹¹⁹ and imperial forces and, from among the allies [barbarians] those who came from the Vandals, and the children given him as hostages.” The passage must be admitted (even if the vocabulary is very imprecise) to show more than a little factual knowledge of conditions on the Danube frontier, of the Roman army and of the court.

It therefore raises in perhaps even more acute form than the “Greek” fragments the question, which we cannot answer, of how Dexippus collected his information on contemporary events. The same problem arises with Cassius Dio; but he at least was a senator, largely in Rome and able to use the common knowledge of events available to all senators.¹²⁰ But what sources of information on events in Thrace or Pannonia were open to an Athenian who we have no reason to believe ever left his native city? The text gives no help;¹²¹ and we may therefore pass to the one place where the question does not arise, Athens in 267/8.

The Herulian Invasion

Later literary sources provide only vague and disparate accounts of the Herulian attack on Athens, and none which refers to it is earlier than the latter half of the fourth century; a further confusion arises from the fact that the episode apparently came at the very end of

Gallienus' reign, and a decisive defeat of the Scythians was achieved only by Claudius.¹²² The earliest relevant source, Aurelius Victor, has only a general sentence about attacks on Thrace, Macedonia, Achaëa, and Asia Minor under Gallienus;¹²³ and Ammianus, in a brief digression, is similarly vague.¹²⁴ Curiously enough, it is the *Historia Augusta* (which we may now take to date to the last decade of the fourth century)¹²⁵ which is not only the earliest source to refer specifically to events at this time in Athens but is the only later source to mention Dexippus by name in his role at this moment: “[W]hile these things were happening the Scythians sailed over the Black Sea and entering (the mouth of) the Danube inflicted many grave disasters on Roman soil. Having learnt of these, Gallienus put Cleodamus and Athenaeus, Byzantines, in charge of restoring and fortifying the cities.... And from there they continued to Cyzicus and Asia and overran the whole of Achaia, and were defeated by the Athenians under the generalship of Dexippus, the historian of these times.”¹²⁶

Of the later Greek sources, Zosimus, firstly, devotes a single sentence to the ravaging of Greece and capture of Athens by the Scythians in the reign of Gallienus.¹²⁷ Then, under Claudius, he describes in considerable detail how Heruli, Peucæ, and Goths sailed from near Tyras in 6,000 ships with 320,000 men, were repulsed from near Tomi and Marcianopolis, and, sailing through the Hellespont, took Thessalonica and ravaged Thessaly and Greece, but without taking any cities.¹²⁸ Of Petrus Patricius there remains only the legend quoted at the head of this chapter.¹²⁹ Syncellus mentions, in connection with the siege of Thessalonica under Gallienus, that the Greeks manned Thermopylae and built up the walls of Athens and that the Peloponnesians fortified the Isthmus;¹³⁰ we need not suppose that they had banished from their minds all memory of Herodotus. A little later, still under the reign of Gallienus, he describes how the Heruli passed through the Hellespont, took Lemnus and Scyrus, burned Athens, Corinth, Sparta, and Argos, and overran Greece—“until the Athenians, having laid an ambush for them in an area of difficult terrain, annihilated most of them.”¹³¹ The detail about the Athenian resistance, though it does not name Dexippus, clearly reflects precisely the situation of Dexippus' speech (see below). Finally, Zonaras has, under Valerian and Gallienus, an account of the siege of Thessalonica, the rebuilding of the walls of Athens, and the fortification of the Isthmus.¹³² Under Claudius, he recounts another siege of Thessalonica and then the capture of Athens, and reproduces the legend about the books and the Scythian's remark; he continues, “But Kleodēmos the

Athenian who had managed to get away, assembled a whole crowd, and attacked them unexpectedly with ships from the sea, killing many, and the survivors fled from there.”¹³³ The name clearly derives in some way from “Cleodamus and Athenaeus, the Byzantines” who appear in the *Historia Augusta*; the description of his activities, however, fits Dexippus, except for the reference to ships: this (see below) fits the imperial fleet, which was in the vicinity. Thus the *Historia Augusta*, Syncellus, and Zonaras all appear to have details which derive, however remotely, from Dexippus’ own account. But, for all that, only a hazardous combination can produce a coherent narrative from the later literary sources.

Archaeological evidence, however, yields a clear and definite picture of the effects of the Herulian sack.¹³⁴ Extensive burning and destruction of public and private buildings in the sack itself was followed in the years up to the 280s by substantial use by the inhabitants themselves of material from existing buildings for constructing a new inner line of defence (the so-called Valerian wall), which surrounded a small area north of the Acropolis, and left even the Agora itself unguarded and deserted; coin evidence shows that the wall was under construction in the reign of Probus (276–82). In this same period we lose almost all evidence of portrait sculpture, grave *stēlai*, lamp manufacture, and the export of sarcophagi; and it is at this point that the long series of ephebe lists comes to an end. A new wave of building did not come until the early fifth century. The old circuit wall, however, was restored about a century after the Herulian invasion.¹³⁵

Thus, however inadequate our literary sources, we cannot doubt that the Athenians in 267/8 faced not a passing scare, but a violent assault on the very being of their city. It was after the capture of the city that Dexippus collected a band of men and prepared a counter-attack. For how he addressed them we have to rely on the version of his speech which he put in his *Scythica* (F 28); it deserves translation as a central document of both the history and the culture of the later third century:

[A]nd wars are decided by courage rather than numbers. We have no mean force. Two thousand of us have gathered in all, and we have this deserted spot as a base from which to damage the enemy by attacking him in small groups and ambushing him on his way. Once we gain an advantage thus, our forces will swell and we shall strike no small fear into the enemy. If they come against us we shall resist—we have an

excellent defence in this rough wooded position. If they assault us from different directions they will be thrown out by fighting against men who are unseen and not fighting like those they have faced before; they will break their line, will not know where to direct their arrows and darts, will miss their aim, and continue to suffer from our attack. We, protected by the wood, will be able to shoot accurately from positions of advantage, and will apply ourselves safely, in minimal danger. As for regular battle, if that is necessary, realize that the greatest dangers call forth the greatest courage, and at the extremity of hope endurance comes more readily. Often the unexpected has happened, when men are forced by circumstances, and fighting for things they love in the hope of revenge. We could not have before us a greater cause for anger, since our families and our city are in the hands of the enemy. Those too, who have been forced against their will to fight alongside the enemy, would, once they realize our approach, join in the attack on them in the hope of freedom.

I learn that the Emperor's fleet is approaching to aid us; joined with them we shall fight nobly. And in addition I think we shall arouse the other Greeks to the same valour. I myself face the same danger and the same misfortune willingly, seeking honour and danger, longing to do noble deeds and fearing to have the honour of the city besmirched in myself. I urge you to realize this: death comes to all men, but to lay down one's life in defence of one's country is the noblest of prizes, which brings eternal fame. If anyone, even after what has been said, is dismayed by the fall of the city and so down-hearted, let him realize that many cities have been taken by a ruse of their enemies ... [fragmentary]

Fortune too should be on our side. For our cause is just, we resist those who have gratuitously wronged us, and the divine will plays with human affairs in this way, that it most eagerly relieves misfortune and restores the sufferers. It is a noble fate to spread the glory of our city, to be ourselves an example of courage and the love of freedom to the Greeks, and to win among men now and in the future an undying fame, showing by our actions that even in disaster the resolution of Athenians is not broken. Let our watchword in battle be our children and all that is dearest to us, and to save these let us set out together for the conflict, calling on the gods who watch over and aid us.

The speech gives the factual situation quite precisely—Athens taken,

2,000 men, hoping to be joined by more, gathered in an uncultivated part of Attica, no known movement yet on the part of other Greeks, but the imperial fleet in the offing.¹³⁶ More significant are (again) the conscious Thucydidean reminiscences,¹³⁷ the heavily emphasized Athenian patriotism, and the concluding appeal to the pagan gods. Much of it, of course, might have been little different in tone or sentiment if Dexippus in his youth had composed a school oration, “Miltiades, after the defeat at Marathon, urges the Athenians to resist.” But here the same sentiments were called into play in a situation of crushing destruction and real further danger. Dexippus’ followers did resist, and the Scyths were driven off.

Greek Resistance to the Third-Century Invasions

It would be fruitless to try to show that the barbarian invaders everywhere met determined popular resistance in the Greek East. Our sources give numerous examples of cities taken, without mentioning such resistance. In particular one might note the case of Pityous, which was first successfully defended against the Scythians by a Roman garrison under Successianus, and then, when he was promoted elsewhere, fell easily.¹³⁸ Similarly, the *Canonical Epistle* of Gregorius Thaumaturgus,¹³⁹ which probably belongs in the 250s, lays down the procedure for dealing with those who had profited in various ways “at the time of the barbarian invasion,” some even actively joining the barbarian forces.

None the less, it is a significant fact which deserves emphasis that we do have more than a little evidence of such resistance. Our earliest relevant case belongs to the second century, the Costoboccan raid on Greece in 170. Pausanias describes how an Olympic victor named Mnesibulus led a force of Elateans against the invaders and was killed.¹⁴⁰ It was probably on this same occasion that, as an inscription records, the free city of Thespieae despatched its own force of volunteers.¹⁴¹ From the third century we have (to resume) Dexippus’ evidence of Marcianopolis and Philippopolis standing siege under Decius, of Side doing likewise, and of Athenian resistance in 267/8. The siege of Thessalonica under Valerian and Gallienus was a famous event commemorated in a variety of sources.¹⁴² Under Claudius, the *Historia Augusta*, for what that is worth, records the repulse of the barbarians from Anchialus and Nicopolis,¹⁴³ and Zosimus a similar repulse from Tomi and Marcianopolis;¹⁴⁴ at Tomi we have evidence of the construction or repair of the town walls at this period.¹⁴⁵ Here at

any rate, we can gain some conception of the nature of popular resistance by going back to Ovid's description of how when the alarm sounded the population would rush in arms to the walls.¹⁴⁶ But resistance was not confined to those Pontic areas which had throughout their history confronted a barbarian hinterland. Apart from the cases of Athens, Thessalonica, and Side, we have from Miletus evidence of the building of a city wall,¹⁴⁷ and the inscription of an Asiarch named Macarius "averting the attack of man-slaying foes"

([δ]ηίων δ[ῆριν ἀλεξάμενος] ἀνδροφόνων)

¹⁴⁸ Miletus seems to have been attacked and not taken.

The building of city walls, often rapidly and enclosing restricted areas, is a common feature of the Empire in the later third century,¹⁴⁹ and does not distinguish between East and West. But it is noteworthy that, if we except the marginal case of Autun which stood siege by the Gallic forces for seven months in 269,¹⁵⁰ there seems to be only one item of evidence from the West showing popular, civilian resistance to barbarian attack in the third century. This is an inscription from Saldæ in Africa dedicated by the *iuvenes* (the young men) "because the enemy was driven away from the city walls" (*ob pulsum moenibus hostem*).¹⁵¹

This suggestion of an acute disparity between Greek East and Latin West should not be pushed too far; if nothing else, the very paucity of the evidence on either side forbids that. Nor can a sense of history be more than a part of the explanation of such Greek resistance as we find. For all the real and widespread "Roman patriotism" reflected in the Latin literature of the fourth and fifth centuries,¹⁵² the Roman aristocracy, deeply imbued with the traditional culture, led no popular resistance to the later barbarian invasions.¹⁵³ None the less, we have to face the facts both that the Byzantine world survived against repeated attack in a way that the Latin world did not; and that a profound attachment to the classical Greek past remained fundamental to Byzantine culture.¹⁵⁴ So, with these perspectives in mind, one may venture to suggest that what we find in the third century is not merely that fuller literary evidence happens to reveal more about popular resistance in the Greek East; but rather that the Greek society of the Empire gained self-confidence and coherence precisely from its vigorous literary and intellectual tradition, and its intimate connection with a heroic past.

Notes

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1. Philostratus, *Vit. Soph.* 2, 32.

2. See, e.g., C. M. Bennett, “The Nabataeans in Petra,” *Archaeology* 15 (1962): 233; P. Parr, “The Beginnings of Hellenisation at Petra,” *VIIIe congrès international d’archéologie classique*, 1963 (Paris, 1965), 527.

3. See A. Negev, “New Dated Nabataean Graffiti from the Sinai,” *IEJ* 17 (1957): 250.

4. See *Digest* 47, 11, 9 (Ulpian, *Lib. IX de officio proconsulis*) on *skopelismos* in the province of Arabia.

5. For the “Arab” culture of the southern part of the area concerned, see R. Dussaud, *La pénétration des Arabes en Syrie avant l’Islam* (Institut français d’archéologie de Beyrouth, Bibliothèque archéologique et historique 59, 1955). For Arabs in Mesopotamia, L. Dillemann, *Haute Mésopotamie et pays adjacents: contribution à la géographie historique de la région, du Ve s. avant l’ère chrétienne au VIe s. de cette ère* (1962), 88–89.

6. F. Millar, “Local Cultures in the Roman Empire: Libyan, Punic and Latin in Roman Africa,” *JRS* 58 (1968): 126 (chapter 12 in this volume).

7. *Or.* 36, 9.

8. Philos., *Vit. Soph.* 1, 25 (542).

9. Philos. 2, 15.

10. Spengel, *Rhet. Gr.* III, 389, trans. D. A. Russels and N. G. Wilson, *Menander Rhetor* (1981), 115–17.

11. Suet., *Dom.* 10; Dio 67, 12, 3–4.

12. Dio Prus., *Or.* 3, 3. Compare *Or.* 18, 9.

13. Dio 68, 29, 1.

14. For references on Caracalla’s imitation of Alexander, see F. Millar, *A Study of Cassius Dio* (1964), 151, 158, 214–16. See, however, D. Timpe, “Ein Heiratsplan Kaiser Caracallas,” *Hermes* 95 (1967): 470; B. Levick, “Caracalla’s Path,” *Hommages à M. Renard* (1969), 442.

15. Dio Prus., *Or.* 44, 11–12.
16. Plut., *Mor.* 814 B–C.
17. Dio Prus., *Or.* 31, 104.
18. Athenaeus, *Deipnosoph.* 211 A–D; Jacoby, *FGrH* 166.
19. Jacoby, *FGrH* 97; G. Barbieri, *L'albo senatorio da Settimio Severo à Carino* (1952), no. 59; cf. Millar (n. 14), 62, 192.
20. Lucian, *Quomodo historia scribenda sit* 5. See H. Homeyer, *Lukian, Wie man Geschichte schreiben soll* (1965); cf. G. Avenarius, *Lukians Schrift zur Geschichtsschreibung* (1956).
21. Philos., *Vit. Soph.* 2, 24; see *PIR*² A 137.
22. The best available account of Herodian is the introduction to C. R. Whittaker's excellent Loeb text, vol. I (1969). Beginning in 180, Herodian's work was intended to cover a period of sixty years according to 1, 1, 5 and seventy according to 2, 15, 7. So vague is his knowledge of events that it is tempting to suggest that the phrase "in royal or public service" (1, 2, 5) might refer to minor imperial and city office in some province or provinces.
23. On the poverty of the Latin historical tradition in this period, see T. D. Barnes, "The Lost *Kaisergeschichte* and the Latin Historical Tradition," *Bonner Historia-Augusta-Colloquium 1968/69* (1970), 13.
24. Jacoby, *FGrH* 98.
25. Jacoby, *FGrH* 101.
26. See Jacoby, *FGrH* 212.
27. Photius, *Bib.* 62, *FGrH* 219.
28. Suda (ed. Adler) Σ 877.
29. Fragments and discussion of Porphyry's *Chronicle* by Jacoby, *FGrH* 260.
30. Text edited by R. Helm, *GCS* 46 (1965), *Hippolytus Werke, 4e Band: Die Chronik*.
31. For evidence on his life *PIR*² I, 124. There are no editions of the surviving fragments of the *Chronographia* later than Migne, *PG* X, cols. 63–94, and Routh, *Reliquiae Sacrae* II, 138–309. See H. Gelzer, *Sextus Julius Africanus und die byzantinische Chronographie* I–II (1880–98). Note, however, that the biblical chronology is already known to some Hellenistic historians; see B. Z. Wacholder, "Biblical Chronology in the Hellenistic World," *Harvard Theological Review* 61 (1968): 451.
32. Fr. 43 in A. von Harnack, "Porphyrius 'Gegen die Christen,' 15

Bücher: Zeugnisse, Fragmente und Referate,” *Abhandlungen der Akademie zu Berlin Philosophisch-Historische Klasse* no. 1 (1916). See A. D. E. Cameron, “The Date of Porphyry’s KATA ΧΡΙΣΤΙΑΝΩΝ,” *CQ*, n.s., 17 (1967): 382; cf. the general study by M. V. Anastos, “Porphyry’s Attack on the Bible,” in L. Wallach, ed., *The Classical Tradition: Literary and Historical Studies in Honour of Harry Caplan* (1966), 421; and, for a further fragment, G. Binder in *ZPE* 3 (1968): 81.

33. Euseb., *Praep. Evang.* 10, 3.

34. Proclus, *In rempublicam*, 2, 23, ll. 14–15 Teubner.

35. See E. Hefermehl, *Rh. Mus.* 61 (1906), 299–300.

36. Suda M 46.

37. Philos., *Vit. Soph.* 2, 23 (emended Loeb trans.).

38. Suda Φ 735.

39. Suda A 4735. The text reads “under Maximian,” but the correction is obligatory. The suggestion of E. Rohde, *Kleine Schriften* I, 341, n. 1, that all the “Apsines” who flourished in Athens in the third and fourth centuries can be collected in a single family, is unfortunately not viable.

40. J. H. Oliver, *Hesperia* 10 (1941): 260–61; for the family of Apsines’ wife, see Oliver, *The Athenian Expounders of the Sacred and Ancestral Law* (1950), 78–79, and E. Kapetanopoulos (n. 65 below).

41. Suda K 231. Cf. Cameron (n. 32).

42. Suda Γ 132.

43. See for this theme M. Rosenbach, *Galliena Augusta: Einzelgötter und Allgott im gallienischen Pantheon* (1958), 15–16.

44. *IG II²* 3814 = *Syll.*³ 845.

45. Plut., *V. Ant.* 68, 4–5.

46. Plut. 28; cf. W. A. Oldfather, “A Friend of Plutarch’s Grandfather,” *CPh* 19 (1924): 177.

47. See *Syll.*³ 844 A–B.

48. See O. Schissel, “Die Familie des Minukianos. Ein Beitrag zur Personenkunde des neuplatonischen Athen,” *Klio* 21 (1927): 361. Cf. Rosenbach (n. 43), 18–19.

49. Suda N 373.

50. Suda M 1087.

51. *IG II²*, 5199, 5200.

52. See *PIR*² C 892. The entry requires revision.
53. *IG* II³, 3689, 3690.
54. *IG* IV², 428–30.
55. *IG* IV², 431.
56. *OGIS* 721.
57. J. Baillet, “Constantin et le dadouque d’Éleusis,” *CRAI* (1922): 282.
58. So P. Graindor, “Constantin et le dadouque Nicagoras,” *Byzantion* 3 (1926): 209; cf. Schissel (n. 48).
59. Himerius, *Ecl.* 7, 4; cf. *Or.* 23, 21.
60. Marinus, *vita Procli* 36. Cf. P. Graindor, *Chronologie des archontes athéniens sous l’Empire* (1922), 273–74.
61. *IG* IV², 436–37.
62. Zosimus 4, 18. See, on the Nestorii, father and grandfather of Plutarch, É. Évrard, *Ant. Class.* 29 (1960): 120–33.
63. Marinus, *vita Procli* 12, 28.
64. *IG* II² 3818. This Plutarchus was a sophist, not a philosopher; see L. Robert, *Hellenica* IV, 4–5.
65. See E. Kapetanopoulos, “Leonides VII of Melite and His Family,” *BCH* 92 (1968): 493.
66. See J. H. Oliver, “Two Athenian Poets,” *Hesperia* Supp. VIII (1949), 243.
67. See J. H. Olivier, *Hesperia* 2 (1933): 505–6; *Hesperia* 11 (1942): 71–72. For a new inscription of a member of the family, see S. Koumanoudes in *Ἀρχαιολογικὸν Δελτικόν* 21, 1 (1966): 143.
68. *IG* II², 2342.
69. *Vita Gall.* 11, 3: “[Gallienus] was archon in Athens, that is, the supreme magistrate, with his well-known vanity which made him wish simultaneously to be treated as a citizen and take part in all religious rituals”; 11, 5: “[I]n addition he desired to be enrolled among the Areopagites in contempt of the city.”
70. For the theme of the “Hellenic revival” under Gallienus, see A. Alföldi, “Die Vorherrschaft der Pannonier im Römerreiche und die Reaktion des Hellenentums unter Gallienus,” *50 Jahre Röm.-Germ. Kom.* (1929), II = *Studien zur Geschichte der Weltkrise des 3. Jahrh. nach Christus* (1967), 228; cf. Rosenbach (n. 43).

71. *IG II²*, 3704; see Oliver (n. 66).
72. Porph., *Vit. Plot.* 15, 20.
73. Eunap., *Vit. Soph.* 457.
74. *Suda* II 812.
75. *Suda* A 2185.
76. *Suda* I 435.
77. Eunap., *Vit. Soph.* 482–83.
78. He was eighty-seven when Eunapius came to Athens about 362/3, *Vit. Soph.* 485, 493.
79. Eunap., *Vit. Soph.* 487.
80. *Or.* 1, 19.
81. Libanius, *Or.* 1, 11.
82. From *IG II²*, 3665; *PIR²* H 104; and Rosenbach (n. 43), 23.
83. *IG II²*, 2245; see L. Moretti, *Iscrizioni agonistiche greche* (Studi pubblicati dell’Istituto italiano per la storia antica 12, 1953), 202–3.
84. See C. P. Jones, “Towards a Chronology of Plutarch’s Works,” *JRS* 56 (1966): 61.
85. See D. J. Geagan, *The Athenian Constitution after Sulla* (*Hesperia* Supp. XII, 1967), 41–42.
86. See n. 83.
87. See P. Graindor in *BCH* 39 (1915): 253–54.
88. *PIR²* H, 126.
89. Eunap., *Vit. Soph.* 457 = Jacoby, *FGrH* 100 T 2.
90. Geagan (n. 85), 7, 10.
91. Geagan (n. 85), 55.
92. See A. Stein, “Griechische Rangtitel in der römischen Kaiserzeit,” *Wiener Studien* 34 (1912): 160.
93. See P. Foucart, *Les mystères d’Éleusis* (1914), 209.
94. So L. Deubner, *Attische Feste²* (1966), 32.
95. Geagan (n. 85), 136.
96. See W. Froehner, *Inscriptions grecques du musée impérial du Louvre* (1865), 220, no. 119; cf. P. Graindor, *Album d’inscriptions attiques d’époque impériale* (1924), 72, no. 105, pl. LXXXIII.
97. On the formula *κατὰ τὸ ἐπερώτημα*, see Geagan (n. 85), 45–46.

98. Geagan (n. 85), 74–75.
99. See A. Busse, “Der Historiker und der Philosoph Dexippus,” *Hermes* 23 (1888): 402.
100. Note especially the consular Ulpius Leurus, his son, M. Ulpius Eubiotus Leurus, and grandsons, M. Ulpius Flavius Tisamenus and M. Pupienus Maximus; Barbieri (n. 19), 2119–22. Also Claudius Illyrius, cf. n. 52.
101. Photius, *Bib.* 82 = Jacoby, *FGrH* 100, T 5. *Testimonia* and *Fragmenta* in Jacoby are henceforward cited as T 1, F 1, etc.
102. Evagrius, *Hist. Eccles.* 5, 24 = T 6.
103. For difficulties about the exact date, see Jacoby on this passage.
104. See R. Syme, *Ammianus and the Historia Augusta* (1968).
105. One may note, however, that further consideration could be given to the arguments of F. Altheim, *Literatur und Geschichte im ausgehenden Altertum* I (1948), 175–92, that Dexippus’ *History* is the annalistic source underlying the *HA*’s biographies of the emperors from 240 to 270.
106. Jordanes, *Getica* 113 (F 30). See E. Ch. Skrijunskaya, *Jordan o proiskhojdenii i de’aniakh Getov: Getica* (1960).
107. See F. Millar, “Emperors at Work,” *JRS* 57 (1967): 16, n. 100 (chapter 1 in this volume).
108. See F. J. Stein, *Herodianus et Dexippus rerum scriptores quatenus Thucydidem secuti sint* (Diss. Bonn 1957), 10–11.
109. The text has not been re-edited since Migne, *PG* X, 1019–48, and M. J. Routh, *Reliquiae Sacrae* (1846–48) III, 251–83.
110. J. Geffcken, *Die Oracula Sibyllina* (1902); cf. A. T. Olmstead, “The Mid-Third Century of the Christian Era,” *CPh* 37 (1942): 241, 398. See now D. S. Potter, *Prophecy and History in the Crisis of the Roman Empire: A Historical Commentary on the Thirteenth Sibylline Oracle* (1990).
111. Jacoby, *FGrH* 101 F 2: “This I did not hear from the Macedonians themselves; in the case of another siege I learnt of counter-manoeuvering against these fire-bearing missiles when the Celts laid siege to a city called of the Tyrrenians (Etruscans?). And this city (belongs) to the Gallic territory of those inhabiting the west, in the province of Lugdunensis.” For the identity of the place, see Jacoby on the passage.

112. Jordanes, *Getica* 92. See J. Wiesner, *Die Thraker* (1963), 181.
113. On the siege of Philippopolis, see Wiesner (n. 112) and B. Gerov, "Die gotische Invasion in Mösien und Thrakien unter Decius im Lichte der Hortfunde," *Acta Antiqua Philippopolitana: Studia archaeologica* (1963), 127.
114. For the date, see A. Alföldi, "Über die Juthungeneinfälle unter Aurelian," *Studien zur Geschichte der Weltkrise des 3. Jahrh. nach Christus* (1967), 427.
115. See Stein (n. 108), 48–49.
116. On the problem, for which the evidence is very sparse, R. Grosse, *Römische Militärgeschichte von Gallienus bis zum Beginn der byzantinischen Themenverfassung* (1920), 15–16; D. van Berchem, *L'armée de Dioclétien et la réforme constantinienne* (1952), 103–4. A. H. M. Jones, *The Later Roman Empire* (1964), 52–53.
117. For comparative material, see H. Callies, "Die fremden Truppen im römischen Heer des Prinzipats und die sogenannten nationalen Numeri: Beiträge zur Geschichte des römischen Heeres," 45. *Bericht der röm.-germ. Kommission 1964* (1965), 130.
118. See A. Mócsy in *RE Supp.* IX, 690.
119. At this time, however, the title of *protector* seems to have been granted individually to equestrian officers. See Jones (n. 116), 53. Note the evidence in B. Gerov, "La carriera militare di Marciano, generale di Gallieno," *Athenaeum* 43 (1965): 333; T. Nagy, "Die Inschrift des Legionspräfekten P. Ael. Aelianus aus Ulcisia Castra," *Klio* 46 (1965): 339.
120. See Millar (n. 14), 199–73.
121. Unless we include the passing phrase in F 25 (1) on Marcianopolis: "The locals say that the sister of the emperor Trajan gave her name to the city."
122. For more detailed analyses of the sources than that given here, see A. Alföldi in *CAH XII* (1939), 721–23, and J. Straub, *Studien zur Historia Augusta* (1952), 40–41.
123. Aur. Vict., *Caes.* 33, 3; cf. Eutrop. 9, 8, 2 and Oros. 7, 22, 7.
124. Am. Marc. 31, 5, 17.
125. See Syme (n. 104).
126. *Vit. Gall.* 13, 6–8.
127. Zos. 1, 39, 1.
128. Zos. 1, 42–43.

129. Exc. Vat.; 169; *FHG* IV, p. 196, 9 (1) (“anon. continuator of Cassius Dio”); Dio, ed. Boissevain III, 745. For the attribution to Petrus Patricius, see Krumbacher, *Gesch. d. byz. Lit.*, 237–39.

130. Syncellus p. 715, Bonn.

131. Syncellus p. 717, Bonn.

132. Zon. 12, 23.

133. Zon. 12, 26 C–D.

134. The brief summary given here relies on H. A. Thompson, “Athenian Twilight: A.D. 267–600,” *JRS* 49 (1959): 61, and A. Franz, “From Paganism to Christianity in the Temples of Athens,” *Dumbarton Oaks Papers* 19 (1965): 185. Note also A. Frantz, “Honours to a Librarian,” *Hesperia* 35 (1966): 377, and, for a contemporary coin hoard at Sparta, M. Karamezines-Oekonomidos, *Χαριστήριον Α. Κ. Ὀρλανδου* III (1966), 367. See now A. Frantz, *The Athenian Agora XXIV: Late Antiquity, AD 267–700* (1988).

135. See A. E. Raubitschek, “Iamblichos at Athens,” *Hesperia* 33 (1964): 63.

136. See C. G. Starr, *The Roman Imperial Navy*² (1960), 194–95.

137. See Stein (n. 108), 67–68.

138. Zos. 1, 32–33.

139. See n. 108.

140. Pausanias 10, 34, 5 and Frazer, on this passage. Cf. A. von Premerstein in *Klio* 12 (1912): 145–46. I. I. Russu, “Les Costoboces,” *Dacia* 3 (1959): 341, and B. Gerov, “Die Krisis in den Ostbalkanländern während der Alleinregierung des Marcus Aurelius,” *Acta Antiqua Academiae Scientiarum Hungaricae* 16 (1968): 325.

141. A. Plassart, “Une levée de volontaires Thespiens sous Marc Aurèle,” *Mélanges Glotz* II (1932), 731. See esp. C. P. Jones, “The Levy at Thespieae under Marcus Aurelius,” *GRBS* 12 (1971): 45.

142. Eusebius, *FGrH* F 101, 1, 2; Amm. Marc. 31, 5, 16; Zos. 1, 29, 2; Syncellus p. 715, Dindorf; Zon. 12, 23.

143. *Vita Claud.* 12, 4.

144. Zos. I, 42.

145. See I. Stoian, “La città pontica di Tomis: saggio storico,” *Dacia* 5 (1961): 233, see 270–71.

146. Ovid, *Tristia* 4, 1, 71–84.

147. See *Ins. Didyma* no. 159 and comm.; cf. Robert, *Hellenica* 6 (1948): 119–20.

148. *Miletos* I, 9, no. 339a. See Magie, *Roman Rule in Asia Minor* (1950), 1566, n. 28.

149. For examples, see R. MacMullen, *Soldier and Civilian in the Later Roman Empire* (1963), 129, and Magie (n. 148).

150. See P. le Gentilhomme, “Le désastre d’Autun en 269,” *REA* 45 (1943): 233.

151. *AE* 1928, 38. Cf. L. Leschi, *Études d’épigraphie, d’archéologie et d’histoire africaines* (1957), 349–50.

152. See F. Paschoud, *Roma Aeterna: études sur le patriotisme romain dans l’Occident latin à l’époque des grandes invasions* (1967).

153. I owed this point to Professor A. D. E. Cameron.

154. N. H. Baynes, “The Hellenistic Civilisation and East Rome,” *Byzantine Studies and Other Essays* (1955): 1.

CHAPTER FOURTEEN

The Imperial Cult and the Persecutions



To pose the problem of the relevance of the imperial cult to the persecutions, we may begin with a well-known passage from the *Apocalypse*: “And I saw ... the spirits of those who had been executed for their witness to Jesus and for the word of God, and who did not bow down to worship the beast nor the image of him.”¹ The “beast” is Nero, but we, like Cyprian, may understand this as a more general reference to persecution, and to the significance for persecution of the imperial cult. For Cyprian takes up this passage in his *Ad Fortunatum* 12: “He [Saint John] said: they all live and reign with Christ, not only those who were executed, but also all those who persisting in the strength of their faith [*fides*] and their fear of God, did not worship the image of the beast and did not assent to his deathly and sacriligious edicts.”

We have now reached a moment when we can begin to understand some of the long-debated problems of the nature of persecution. The basis of that understanding, I believe, must be the article by T. D. Barnes in the *Journal of Roman Studies* 1968 (“Legislation against the Christians”), and the chapter on persecution in his book on Tertullian.² We should now accept that there is no good evidence for any general law or edict against Christianity before the reign of Decius. But we also need no longer believe that each cult in the Empire was either a *religio licita* (tolerated religion) or a *religio illicita* (forbidden religion); neither expression, I believe, appears in any ancient source. Nor need we assume that there were *di publici populi Romani* (official gods of the Roman people), whom all citizens were supposed to worship; for this expression too does not appear in any ancient writer. In short, we can now devote ourselves to the specific evidence as to when, by whom, and for what reasons Christians were persecuted. And only now, when misleading assumptions about the nature of persecution are beginning to be cleared away, does it become profitable to ask what was the significance and the function of the imperial cult in the persecution of the Christians. For it is tempting to suppose, at first, that the imperial cult might supply that general, so to speak “political,” explanation of persecution which scholars have

often considered necessary. But the answer to the question about the role of the imperial cult in persecution may cast some light also on the wider question of its role within paganism.

But we cannot simply ask, What was the significance of the imperial cult in the persecutions? For the question has no meaning unless we say “significance to whom, and under what circumstances?” At least three different groups are involved: the people in the provinces, who actually initiated the prosecution of Christians; the provincial governors, who heard the cases and were prepared to condemn Christians as such; and the emperors themselves.

If we look first at the pagan population of the provinces, there is ever increasing evidence that the emperor-cult had an important place in public religious life and in private life; and that this place was established very early. An Oxyrhynchus papyrus shows lamplighters swearing by “Caesar, a god from a god” in the “first year of Caesar,” 30/29 B.C.³ In 3 B.C. all the people of Gangra and Phazimon-Neapolis swear loyalty by Augustus himself along with other gods.⁴ From the Flavian period onwards the oath was normally taken by the *genius* or *tychē* (fortune) of the living emperor. It is exceptionally interesting for us to see among the Greek papyri from the Judaean desert a document of A.D. 127 in which a Jewish woman and a Jewish man swear by the *tychē* of the Emperor: “I swear by the *tychē* of the Lord Caesar that I have in good faith registered as written above.”⁵ As time went on the *tychē* came to serve as the personification of the emperor himself: an inscription from Euhippe in Caria records that the city addressed itself in a petition to the *tychē* of Caracalla: “by the great *tychē* of our Lord, the Emperor Antoninus.”⁶

Statues of the emperor were everywhere and were the focus of a wide variety of religious, ceremonial, and even legal functions.⁷ Oxyrhynchus papyri from the reign of Caracalla, and again from the end of the reign of Constantine, show “bearers of the divine busts and of the Nikē [Victory] which precedes them.”⁸ The accounts of a temple at Arsinoe in A.D. 215 include a whole range of items such as the celebration of imperial dates, the care of a new statue of Caracalla, or payment to a *rhētōr* for an address before the prefect celebrating an imperial victory.⁹ What is most noticeable in all these papyri, however, is the way in which the emperor takes his place among the other gods. Moreover, recent articles by L. Robert and H. W. Pleket show that at least a large proportion of the cult acts directed towards the pagan gods were addressed also to the emperor. Prayers and

sacrifices were offered; a *mystikon agōn* (a competition forming part of mystery rites) was performed for Dionysus and Hadrian at Ankyra; *mysteria* (mystery rites) were performed at the temple of Rome and Augustus at Pergamon; the *Sebastophantes* who appears in Bithynian inscriptions will probably have displayed the image of the emperor at the climax of a mystery celebration.¹⁰ Unless we deny the name of “religion” to all pagan cults, our evidence compels us to grant it also to the imperial cult.

But the imperial statue could also receive petitions. In A.D. 267 a man refusing a liturgy writes to the gymnasiarchs of Oxyrhynchus: “I immediately presented to you a petition of appeal to his excellency the *epistrategus* [the equestrian official at the head of an Egyptian district] Aelius Faustus, *ducenarius* [with an annual salary of 200,000 sesterces], and since it was not accepted, I deposited it at the *Sebasteion* there before the divine feet of our Lord, the emperor Gallienus Augustus, to be sent by the guard to the most distinguished prefect.”¹¹ The expression “before the divine feet” gives immediate point to a passage in the *Acta* of Dasius, which relate to the Great Persecution; the *legatus* (governor) says to Dasius, “petition the feet of our Lords, the Kings who grant us peace.”¹²

Thus both the name of the emperor and the actual statues and images of him played a real part in the life of a provincial pagan community. How did this influence their reactions to the spread of Christianity?

Before we look at the persecutions themselves, two episodes from the reign of Gaius will show how the imperial cult *might* have been used by a pagan community against a dissident group. In Jamnia in Judaea the pagans erected an altar (evidently of Gaius himself) expressly to provoke the Jewish population, who promptly destroyed it. It was the report of this incident, says Philo, which in turn provoked Gaius’ plan to set up a golden statue of himself in the Temple.¹³ It is also Philo who reports that amid the other outrages in Alexandria in 38, the pagans placed images of Gaius in the synagogues, and in the largest of them a bronze statue of him in a four-horse chariot.¹⁴

The reign of Gaius of course created quite exceptional circumstances. In general it was accepted that the Jews would not tolerate images and would not be asked to do more than make sacrifices *for* the Emperor in the Temple. But when gentiles began to convert to Christianity, might we not expect that the pagan

communities in which they lived would begin to use against them the accusation of not observing the imperial cult? We do at least have in Acts 17:7 a mention of one popular accusation of disloyalty: in Thessalonica the crowd accuses Paul and Silas before the *politarchoi* (the city magistrates), declaring “All these [the Christians] act against the decrees of Caesar, saying that there is another King, Jesus.”

After that, it is remarkable how *little* evidence we have of the exact form of the accusations against Christians. We can assume that they were very often accused simply *as* Christians (see I Petr. 4:15–16). But was a reference to the imperial cult never brought in by their accusers? We must confine ourselves here strictly to attested instances of accusations of Christians; the general treatments of the position of Christianity in the apologists are another matter, which we have already discussed.

So if we take the instances attested in reliable sources,¹⁵ the motif of loyalty to the emperor, or specifically of the imperial cult, is brought in *by the accuser*, or by local, as opposed to Roman, officials on only one occasion in the period before the persecution of Decius. In the *Acta Polycarpi* 8, 2 the *eirenarch* (police official) and his father try to persuade Polycarp on the way to his trial, “What harm is there for you to say ‘the Lord Caesar,’ to perform the sacrifices and so forth, and to be saved?”

With the persecutions of Decius, Valerian, and the Tetrarchy the situation changes; for, as we shall see, it is now, for the first time, that imperial commands play an active role in persecution. But in this period we may still ask whether either the accusers of Christians, or local magistrates conducting cases, refer to the imperial cult. One case is the *Acta Pionii* 8; here the *ne ὄ koros* (the temple warden), Polemon, says to Pionius: “[O]ffer sacrifice.” When Pionius refuses, he says, “then offer sacrifice at any rate to the Emperor.” It is noticeable that the reference to sacrifice to the Emperor is *secondary* to that to the gods in general. In the *Acta Pionii* 18, it is revealed that local pressure *had* made one Christian recant: he had made an offering at the Nemeseion at Smyrna and “had sworn by the *tychē* of the Emperor and by the Nemeseis that he is not a Christian.”

After that we have a case concerning a soldier. From Eusebius (*HE* 7, 15) we have the case of Marinus in Caesarea in the early 260s. When he was about to be promoted to the centurionate, a rival accused him, saying “It is forbidden by the ancient laws for him to enjoy a Roman rank since he is a Christian and does not sacrifice to

the emperors.”

So far as I can discover, that is all the evidence we have which concerns either popular accusations of refusing the imperial cult, or action by *local* magistrates on the same issue. Moreover, the question of the imperial cult does not seem to be brought up at all in accusations of Christians during the Great Persecution under the Tetrarchy. The scarcity of this evidence is partly the result of the form of much of the literary evidence. Detailed descriptions of martyrdoms tend to concentrate on dialogues between martyrs and provincial governors, not on the background to them. But, none the less, the evidence of popular concern about non-observance of the imperial cult is far outweighed by the evidence for popular concern about abandonment of the pagan cults as such, especially local cults. This theme is frequent in the *Acts of the Apostles*, culminating in the great scene about Artemis of Ephesus. In Smyrna a century later what the crowd shouts against Polycarp is, “This is the teacher of Asia, the father of the Christians, *the destroyer of our gods*, the man who instructs many not to sacrifice or do reverence!” And in the anti-Christian movement in Alexandria in 249 a woman named Quinta is dragged to the *eidoleion* (the site of a group of idols of gods) and forced to do reverence (Eus., *HE* 6, 41, 4).

The context in which the question of the imperial cult *does* frequently appear is that of the examination of accused Christians by a Roman provincial governor. But even here it often appears in close conjunction with the wider question of pagan worship in general.

Before we look at the evidence, we may stop to ask what part a provincial governor played in the cults of a province, or in its cult of the emperor in particular. The evidence, which is extremely important for the whole question of what the functions of a governor really were, has never been assembled. But a few items can be mentioned. We may recall first what I mentioned earlier, the orator hired by the temple at Arsinoe to make a speech on the imperial Nikē before the prefect. Then the great inscription from Acraephia in Boeotia shows that the governor was present when the league of Achaeans and Panhellenes took the oath of loyalty to Gaius in 37.¹⁶ More revealing is the letter of a proconsul of Asia to Aphrodisias congratulating the city on the confirmation and extension of its privileges by Severus Alexander. If it is legally possible, he says, “I will gladly come to you and stay in your most splendid city, and sacrifice to your ancestral goddess for the safety and eternal preservation of our lord the

emperor Alexander and of our lady the Augusta Mammaea, mother of our lord and of the camps.” But, if not, “sacrificing, as is my custom, to the other gods for the Fortune and Safety and eternal preservation” of Alexander and Mammaea, “I will call upon your native [goddess].”¹⁷ But most striking of all is the inscription from Messene showing the quaestor P. Cornelius Scipio, who as *quaestor pro praetore* replaced the praetorian proconsul of Achaëa in perhaps A.D. 1–2, carrying out the Caesarea, sacrifices for (or to?) Augustus, and causing the cities to do likewise, sacrificing an ox for the safety of Gaius on his eastern campaign, and giving orders for celebrations and sacrifices in the cities.¹⁸

Such evidence does give some indication that governors did take part in the cults and festivals of their provinces (indeed the rhetor “Menander” gives the formula specifically for a speech inviting a proconsul to a festival). Moreover, they also took part in the ceremonials of the imperial cult, and in this too participated in the existing local cults.

The governor’s close involvement with the cults of the provincial cities comes out most clearly in Pliny’s correspondence with Trajan about the Christians (*Epist.* 9, 96–97). The issue of the imperial cult does play a role, namely in Pliny’s test of those accused who claimed never to have been Christians: “when they had repeated after me a formula of invocation to the gods and had made offerings of incense and wine to your statue [*imago*].” Similarly, the lapsed Christians “all did reverence to your statue and to the images of the gods [*simulacra numinum*].” Trajan’s statue (*imago*) is distinguished from the *simulacra numinum*; but yet it is the object of precisely the same ritual observances.

However, it is more important to note that the main point of Pliny’s letter concerns *lapsed* Christians; and that the concluding argument of his letter points to the large numbers who were currently lapsing: “[T]here is no doubt that people have begun to throng the temples which had been almost entirely deserted for a long time; the sacred rites which had been allowed to lapse are being performed again.... it is easy to learn from this that a great many people could be reformed if they were given an opportunity to repent.” Pliny does not identify the temples concerned. There is nothing to indicate that they are those of *Roman* gods, or, still less, of the imperial cult. It is evident in fact that they are the local temples of the Pontic cities. That they should be filled with worshippers is important to Pliny and, by implication,

important to Trajan.

The imperial cult thus plays a minor part in this episode. None the less, this is the earliest detailed evidence of the use of the imperial cult as a means either of compelling the submission or of justifying the punishment of Christians. We may note, however, that there is some precedent in what Josephus says of the Jewish *sicarii* (revolutionaries) who were taken prisoner in the early 70s: in spite of the most extreme tortures, he says, not one would acknowledge Caesar as “Lord” (*despotēs*).¹⁹ This is precisely the context in which different aspects of the imperial cult appear in the majority of surviving authentic martyr acts.

So, for instance, the proconsul of Asia says repeatedly to Polycarp, “Swear by the *tychē* of the Emperor.” But in the *Acts of Justin* the imperial cult is not mentioned; and in the martyrdoms at Lyon under Marcus Aurelius reported by Eusebius (*HE* 5, 1) what the slaves of the Christians relate under torture is cannibalism and incest; and what the martyrs are urged to do is “to swear by the idols.” The imperial cult plays no part. In the *Acts of the Scillitan Martyrs*, however, the test is again to swear by the *genius* of the emperor. Saturninus the *proconsul* says, “we too are religious [*religiosi*] and our religion [*religio*] is simple: we swear by the *genius* of our lord the Emperor and pray for his well-being—which you should do too.” The *Acts of Apollon* (or *Apollonius*) as we have them are not authentic; for they are inconsistent with what Eusebius reports of the trial in *HE* 5, 21. But here too the supposed proconsul Perennius says (3), “Swear by the *tychē* of our lord Commodus,” and later (7), “Sacrifice to the gods and to the image of the emperor Commodus.” In the certainly authentic *Acts of Perpetua and Felicitas*, the procurator acting as a deputy of the proconsul says “sacrifice for the well-being of the emperors.” But here we reach a different, and far more important, theme—that of the protection of the emperor by the gods.

We may leave for a moment the proceedings before Roman governors in the persecutions of Decius, Valerian, and the Tetrarchy. For here, unlike the previous occasions, the governor was acting within the terms of immediate imperial instructions. But we can see that up to 249, firstly, Christians were accused simply of being Christians. If other charges were added, they were *flagitia cohaerentia* (associated crimes), cannibalism or incest, rather than non-observance of the imperial cult. But the imperial cult does appear in the tests applied by the provincial governor. It was natural that it should. The

letters of Pliny show that the governor took part in and supervised “vows for the safety of the Princeps” on imperial anniversaries (Plin., *Epist.* 10, 35–36, 52–53, 100–101); a passage from the *Apology* of Apuleius indicates that statues of the emperor or emperors were placed on the governor’s tribunal.²⁰ Thus a governor could order a Christian directly to sacrifice to the imperial statue; alternatively, he could demand that the Christian sacrifice, as he did himself, to other gods *for* the emperor; or he could demand an oath by the *genius* or *tychē* of the emperor, a formula which was in daily use in provincial life.

But what of the emperor himself? How significant for him was the Christian’s refusal to sacrifice to or for him, or to swear by him? Before we try to answer the question, it is necessary to say something about the nature of imperial government. The emperor was an individual, with a relatively small staff to assist him. Many emperors travelled extensively either in Italy or the provinces or, most frequently, on campaign; the amount of documents taken with them cannot have been large. It is not surprising therefore that the emperor was dependent for information on reports sent to him, or questions brought for decision. He might on occasion initiate the passing of laws or decrees of the Senate, or issue general edicts; but it is essential to emphasize that his pronouncements were far more often made as *responses* to issues brought before him. Most emperors would make these responses in the light of some coherent general principles or policies. But it is necessary to the understanding of the function of an emperor, and indeed of the nature of the Roman Empire, that the *application* of any such general principles by an emperor normally depended on the form, nature, and occasion of communications to him by his officials or his subjects.

So, to take the imperial cult, we may read in Suetonius *Aug.* 52: “He would not accept temples in any province unless [built] jointly in the name of Rome as well as of himself.” But what this means is what M. P. Charlesworth in a classic article called “An Augustan formula, the refusal of divine honours”²¹—namely, that if a temple or other divine honours were formally *offered* by an embassy, as by Gytheum to Tiberius, or the Alexandrians to Claudius, the offer was refused, or accepted in modified terms. To the examples which Charlesworth could quote we can now add the letter of Claudius to Thasos:²² “I decline it, judging that a temple is only for the gods.” But suppose that no formal offer of a temple or honours were made by such an

embassy? Then not only private documents and dedications referred to Augustus as a god, but altars and temples of Augustus appeared too; as we have seen, both Greeks and Romans in Gangra and Phazimon-Neapolis in 3 B.C. swore by the gods and Augustus in the Sebastaeia (temples of Augustus) at the altars of Augustus. Under Augustus, probably in 5 B.C., the city of Samos chose, as ambassadors to the Emperor, Gaius Iulius Amynias who was priest of Augustus, Gaius and Marcus Agrippa, and also several other men described as temple builders of Augustus.²³ There is no reason to suppose that they would have been rebuked if the offices they held had been revealed. An Oxyrhynchus papyrus (vol. XLII, 3020) shows an Alexandrian delegation, probably in 10/9 B.C., addressing Augustus as “Caesar, undefeated hero.” And when a delegation from Tarraco reported to Augustus that a palm tree had grown on his altar there, his only reply was to say: “[I]t is obvious how often you use it for sacrificing.”²⁴

Thus the actual *application* of what we call imperial policy cannot be understood without attending to the real forms of communication to the emperor from his subjects. The same rule applies to the persecutions, and specifically to the question of the significance of the imperial cult in the persecutions.

Various different attitudes might have been adopted by emperors. On the one hand they *might* have insisted positively on the observance of the imperial cult. We may recall the words of Gaius to the Alexandrian Jewish embassy: “So you are the god-haters, the people who do not believe that I am a god—I, who am acknowledged as a god among all other nations by this time, but am denied that title by you.”²⁵ But such an attitude was very rare; of later emperors only Domitian is positively attested as applying the word *deus* to himself.²⁶ On the other hand, as I have just mentioned, the *fact* of the imperial cult in its very varied forms was accepted by all emperors. It is noticeable that Trajan accepts without comment Pliny’s report of supplications to his statue, just as earlier he had accepted Pliny’s request to be allowed to put a statue of him, with those of earlier Emperors, in a temple which he was constructing, “although extremely reluctant to receive honours of this kind” (10, 8–9). There is no evidence that any emperors attempted to *prevent* the use of the imperial cult as a test for Christians. Yet they could certainly have done so. It is Trajan, again, who rebukes Pliny for asking if he should hear an accusation of *maiestas* (treason) against Dio of Prusa for placing a statue of the Emperor near the graves of his son and wife

—“since you know very well that it is my fixed rule not to gain respect for my name either from people’s fears and dread or from charges of treason” (*Epist.* 10, 81–82).

Thirdly the emperors, in so far as they took positive attitudes to persecution, or issued orders for it, might have emphasized other factors and given the reasons for their actions. To find the answer, we must, as I said, determine in what precise ways the issue of persecution came before the emperors, and what pronouncements they issued about it. We may now, I hope, accept that there is no good evidence that any emperor before Decius issued a general edict against Christians; Tertullian’s expression *institutum Neronianum* refers not to some sort of legal pronouncement of Nero but to persecution itself. Tacitus, our only detailed account of the events of 64, leaves everything obscure except that Nero’s actions depended on the existing hatred of the masses for the Christians, an attitude which both Tacitus himself and Suetonius shared (Tac., *Ann.* 15, 44; Suet., *Nero* 16).

On this occasion Nero was certainly involved personally, though precisely in what way Tacitus does not tell us. After that, up to the Decian persecution, there is no authentic and concrete evidence of imperial pronouncements about the Christians *except* in the form of letters: Trajan to Pliny, Hadrian to Minucius Fundanus, proconsul of Asia (Just., *Apol.* I, 68; Eus., *HE* 4, 9), Antoninus Pius to Larissa, Thessalonica, Athens, and “all the Greeks” (Melito, *Fr.* ap. Eus., *HE* 4 26, 10); possibly Antoninus Pius or Marcus Aurelius to the *koinon* (league of cities) of Asia;²⁷ and Marcus Aurelius to the governor of Lugdunensis (*HE* V 1, 44 and 47). Of these letters all of those addressed to provincial governors were certainly responses; and, in the light of other evidence, those to cities or the *koinon* almost certainly were also.

On the other hand, the alleged “persecutions” of Septimius Severus²⁸ and Maximin the Thracian²⁹ do *not* provide any evidence of any specific action by the Emperor himself. If one surveys this evidence, one sees that what Lactantius says about the collection of imperial pronouncements concerning the Christians made by Ulpian in the seventh book of his *De officio proconsulis* (*On the proconsul’s duties*) is extremely important: “[H]e collected wicked responses [*rescripta*] of the emperors in order to show what punishments should be inflicted on those who confess themselves to be worshippers of god” (*Inst.* 5, 11, 19). I would suggest that in Ulpian’s time there had been *no*

imperial pronouncements on the Christians other than *rescripta*—that is, answers to governors, or cities, or leagues of cities.

It is therefore not very significant that our evidence about imperial pronouncements on Christianity up to 249 contains nothing relating to the imperial cult. It is more important to examine the period of positive imperial orders—and of more explicit evidence—from A.D. 249 to 313. The surviving *libelli* (certificates) of the Decian persecution show that the imperial order was for sacrifice “to the gods,” as such.³⁰ The best martyr act of this period, the *Acta of Pionius*, confirms this: Polemon the temple warden says to Pionius, “You certainly know that the edict of the Emperor commands you to sacrifice to the gods.” It is only after the refusal of this that he suggests that Pionius sacrifice at least to the Emperor. Other less certainly authentic evidence confirms the terms of the order of Decius.³¹ So does a letter of Cyprian from 252, which *may*, however, refer to a renewed persecution under Gallus: he refers to “sacrifices which the people are commanded to celebrate in an edict displayed in public.”³²

It is essential to emphasize that what was ordered was sacrifice “to the gods.” For A. Alföldi, for instance, has asserted that the imperial cult was important in the persecution of Decius;³³ and it has often been assumed that the gods in question were the “gods of the state” or even the *di publici populi Romani* (official gods of the Roman people).³⁴ But to understand our evidence in that way is to impose a semi-political interpretation of these events; the essential thing, however, is precisely that the terms used are religious and not political.

From the persecution under Valerian we have three excellent sources of evidence, the letters of Cyprian (*Epist.* 76–81), the *Acta Proconsularia* of his two trials, and the letters of Dionysius of Alexandria, preserved by Eusebius (*HE* 7, 10–11). Between them they show that there were imperial orders for the banning of Christian meetings, the exclusion of Christians from their cemeteries, and the punishment of bishops and presbyters; and also for the punishment of senators, equestrians—and *Caesariani* (imperial employees) who were Christians. But what of the orders for sacrifice? In the *Acta Proconsularia* we find the proconsul of Africa in 257 saying to Cyprian something for which no other source offers a true parallel: “the most holy emperors Valerianus et Gallienus deigned to send me a letter in which they enjoined on those who do not practice Roman religion to respect Roman [religious] ceremonies.” After Cyprian’s exile, the

proconsul of the next year again orders him to “perform the rites” (*caerimoniari*), and on his refusal condemns him as “an enemy ... of the Roman gods and the holy religious ceremonies [*religiones*]”; nor, he says, have the emperors been able “to recall you ... to follow their rites.”

I must confess that I do not fully understand the significance of these expressions. But what is clear is that they contain no explicit reference to the imperial cult as such. Even clearer is the verbatim record of the trial of Dionysius, bishop of Alexandria, before Aemilianus, who tells Dionysius and his companions that the emperors have given them the chance to save themselves, “if you wish to take the course of nature and prostrate yourselves before the gods who keep their kingdom safe.” This is explicitly a documentary record, and it is as clear as possible that the imperial order commanded sacrifice to the gods as such.³⁵ The imperial cult finds no place here. The concept which is present is a quite different one, the protection of the emperors’ rule by the gods.

Finally, the connection between the worship of the gods and of the emperors appears in a different form in the martyrdom of Fructuosus and others in 259. Here, again, the *legatus* of Tarracoenensis says that the emperors “enjoined the worship of the gods” (*praeceperunt deos coli*), but continues later “*they* [the gods] are hearkened to, they are feared, they are revered; if the gods are not worshipped, neither are the emperors’ countenances revered.” If I understand this passage, it exhibits the worship of the emperors as one facet of the worship of the gods in general.

When we come to the “Great” Persecution all our reliable evidence shows that the first imperial order which explicitly commanded a general sacrifice was in the Fourth Edict, of 304, repeated by Maximin in 305–6 and 308–9.³⁶ So far as our evidence goes, it contained no reference to sacrifice to the emperors.

None the less, even before the Fourth Edict, the test of sacrifice to the gods, and rarely to the emperors, continued to be applied by provincial governors. So in 303 Procopius of Scythopolis is ordered first to sacrifice to the gods, and then, when he refuses, to pour a libation to the four emperors (Eus., *MP* 1, 1). That is, however, the *only* reference to the imperial cult in the short recension of the *Martyrs of Palestine*. In the long recension, preserved in Syriac, there is one other case, also from 303: Alphaeus, a reader and exorcist in the church at Caesarea, is ordered by the governor to sacrifice to the

emperors (1, 54).

The emperors are mentioned again in the *Acts of S. Crispina*, when the proconsul explains that it has been ordered by the emperors “that you should sacrifice to all our gods for the well-being [*salus*] of our emperors.” The theme is thus exactly the same as that in the trials of Perpetua and Felicitas and of Dionysius of Alexandria. But here also, as in the *Acta Proconsularia* of Cyprian, the proconsul refers explicitly to the Roman god—“put your head under the yoke of the holy ceremonies [*sacra*] of the Roman gods”; and later says, “we request that with your head bowed you should burn incense in the holy temples to the gods of the Romans.” Does *dei Romanorum* here mean specifically the gods of the city of Rome? Or does it mean simply the pagan gods?

What is important about the Great Persecution is that we have a great deal of very explicit evidence about it: for instance, the arguments of a pagan philosopher in favour of persecution, reported by Lactantius (*Inst.* 5, 2); the background of traditional piety expressed by Diocletian and Maximin in their constitutions on incest and on Manicheism;³⁷ some details of the successive edicts on persecution; the petition of Lycia-Pamphylia to Maximin (*TAM* II 3, 785), and the letter of Maximin to the city of Tyre; and the pronouncements of Galerius, Maximin, Constantine, and Licinius by which persecution was ended. In all this, and in Lactantius’ extensive discussion of persecution in the *Divine Institutes* (4, 27; 5, 11; 13–14; 19–24), the imperial cult plays no part at all. Unless we are to reject all our evidence, we must conclude that the Tetrarchic persecutions, like those of the mid-third century, were concerned with the preservation of the pagan cults as such. So Lactantius reports the proclamation of the anonymous pagan philosopher (*Inst.* 5, 2): “Above all the task of the philosopher is to come to the rescue of men who err and recall them back to the right road, that is, to the worship of the gods whose divinity and majesty governs the world.”

The evidence for the persecutions is of some importance precisely because it was so rare for the emperor to institute measures which directly and positively affected, or were intended to affect, the whole population of the Empire (even so, of course, the actual carrying out of all the major persecutions was partial and episodic). It had also been very rare, up to this period, for an emperor to express so elaborately and in such detail the reasons for his actions and the attitude to the world which lay behind them. We can see as the

culmination of this development the exposition of paganism in Maximin's letter to Tyre in 312.³⁸ If the imperial cult does not appear prominently in our evidence for the major persecutions, we cannot say it is because our evidence itself is too limited.

Must we then conclude, on the evidence of the persecutions of Christians, that the imperial cult was not of any real significance; that, as has been argued so many times, and even in major works on ancient religion,³⁹ it was a set of formalities, empty of all truly religious content or feeling?

Of course, we shall never know or understand fully the religious experience of pagans in antiquity. By its very nature, our evidence can only tell us about their rituals and cults, about the language they used in literature or private life, or about how they actually behaved in different situations. All that we can say, therefore, is, firstly, that the conception of a human attaining divine status had already long been integral to ancient paganism;⁴⁰ and, secondly, that the imperial cult was fully and extensively integrated into the local cults of the provinces, with the consequence that the emperors were the object of the same cult acts as the other gods.

I would like to suggest that it is precisely this integration of the imperial cult into the wider spectrum of pagan cults which is the first reason why it plays only a modest role in the persecutions. The second reason is that, both for the people and, in the end, for the emperors themselves, there was a real fear of the abandonment of the ancient gods, and of the loss of the protection which they extended to the cities and to the Empire as a whole. It was only the men in the middle, the provincial governors and, less often, the magistrates of provincial cities, who, when Christians were brought before them, regularly applied the test of recognition of the imperial cult but, along with that, of the cults of the other gods. The persecutions cannot be explained in political terms, as demands for formal displays of loyalism. They were motivated by feelings which we must call religious; among those religious feelings the worship of the emperor played a real but a minor part. The most important conception which lay behind the persecutions was precisely the one which was to be the foundation of the Christian Empire: that the world was sustained, and the earthly government of it granted, by divine favour. It is thus entirely appropriate that it is in the edict of toleration of Galerius in 311 that an emperor first looks forward to the protection of the Christian god: "[T]he Christians will be obliged to pray to their god

Notes

* First published in *Le culte des souverains*, Entretiens sur l'antiquité classique 19 (Fondation Hardt, 1973), 143–65.

1. *Apoc.* 20, 4.

2. T. D. Barnes, “Legislation Against the Christians,” *JRS* 58 (1968): 32; *Tertullian: A Historical and Literary Study* (1971), chap. 9.

3. *P. Oxy.* 1453; see E. Seidl, *Der Eid im römisch-ägyptischen Provinzialrecht* (1933), 10.

4. For the text, see P. Herrmann, *Der römische Kaisereid* (1968), 123–24.

5. For Babatha's oath, see *P. Yadin* 16, lines 33–34, in N. Lewis, *The Documents from the Bar Kokhba Period in the Cave of Letters: Greek Papyri* (1989), 65–70; for the oath by the son of Levi, see *P. Hever* 61, lines 2–3, in H. M. Cotton and A. Yardeni, *Aramaic, Hebrew and Greek Texts from Nahal Hever and Other Sites, The Seiyâl Collection II* (Discoveries in the Judean Desert XXVII, 1997), pp. 174–80.

6. L. Robert and J. Robert, “La ville d'Euhippé en Carie,” *CRAI* (1952): 589; *AE* 1953, 90.

7. For the literary evidence, primarily, see H. Kruse, *Studien zur offiziellen Geltung des Kaiserbildes im römischen Reiche* (1934).

8. *P. Oxy.* 1449, line 2; 1265. Cf. L. Robert, “Recherches Epigraphiques: Inscription d'Athènes,” *REA* 62 (1960): 316.

9. *BGU* 362; cf. F. Blumenthal, “Der ägyptische Kaiserkult,” *Archiv für Papyrusforschung* 5 (1909–13): 317.

10. L. Robert (n. 8); H. W. Pleket, “An Aspect of the Emperor Cult: Imperial Mysteries,” *HThR* 58 (1965): 331.

11. *P. Oxy.* 2130. Other parallels are noted in the commentary.

12. R. Knopf, G. Krüger, and G. Ruhbach, *Ausgewählte Martyr-Akten*⁴ (1965), no. 23; cf. H. Musurillo, *Acts of the Christian Martyrs* (1972), no. 21.

13. Philo, *Leg. ad Gaium* 200–203.

14. *Ibid.*, 132–35.

15. For the criteria of authenticity in martyr acts, see most recently T. D. Barnes, “Pre-Decian *Acta Martyrum*,” *JThS* 19 (1968): 509; cf. also my review of H. Musurillo (n. 12), in *JThS* 24 (1973): 239.

16. *IG* VII, 2711, l.6.

17. REG 19 (1906): 86; F. F. Abbott and A. C. Johnson, *Municipal Administration in the Roman Empire* (1926), no. 137; J. M. Reynolds, *Aphrodisias and Rome* (1982), no. 48, 174–75.

18. SEG XXIII (1968), no. 206; AE 1967, no. 458; see J. E. G. Zetzel, “New Light on Gaius Caesar’s Eastern Campaigns,” *GRBS* 2 (1970): 259.

19. Jos., *BJ* 7, 10, 1 (418–19).

20. Apul., *Apol.* 85. Cf. Kruse (n. 7), 79–89.

21. M. P. Charlesworth, *PBSR* 15 (1939): 1.

22. Chr. Dunant and J. Pouilloux, *Recherches sur l’histoire et les cultes de Thasos II* (1958), no. 179.

23. P. Herrmann, “Inschriften römischer Zeit aus dem Heraion von Samos,” *MDAI(A)* 75 (1960): 68, no. 1; the text also in P. Herrmann, *Die römische Kaisereid* (1968), 125–26.

24. Quint., *Inst.* 6, 3, 77.

25. Philo, *Leg. ad Gaium*, trans. E. M. Smallwood.

26. Suet., *Dom.* 13; cf. Mart. 5, 8, and D. Chr. 45, 1.

27. Eus., *HE* 4, 13. An alternative text of this letter, which is (in either form) certainly at least partly spurious, in *Cod. Par. Gr.* 450 (GCS IX 1, p. 328). For this and what follows, see Barnes (n. 2, 1968), 37–43.

28. See K. H. Schwarte, “Das angebliche Christengesetz des Septimius Severus,” *Historia* 12 (1963): 185.

29. See G. W. Clarke, “Some Victims of the Persecution of Maximinus Thrax,” *Historia* 15 (1966): 445.

30. See H. Knipfing, “The Libelli of the Decian Persecution,” *HThR* 16 (1923): 345.

31. The Latin recension of the *Acts of Carpus, Papylus and Agathonice* (Knopf, Krüger, and Ruhbach [n. 12], no. 2; Musurillo [n. 12], no. 2) is dated specifically to the reign of Decius (paras. 1 and 7), and has (para. 2), “sacrifice to the gods in accordance with the instruction of the Emperor.” Cf. the *Acts of Maximus* (Knopf, Krüger, and Ruhbach [n. 12], no. 12), “he sent orders throughout the world that the Christians would withdraw from the living and true god and sacrifice to idols”; cf. Gregory of Nyssa, *V. Gr. Thaum.* (PG XLVI, cols. 893–958), in col. 944.

32. *Epist.* 59, 6. Cf. *Epist.* 57, 1 of the same year forecasting a new persecution, and Eus., *HE* 7, 1 (Dionysius’ letter to Hermammon).

33. Alföldi, “Zu den Christenverfolgungen in der Mitte des 3. Jahrhunderts,” *Klio* 31 (1938): 323–48 (334); *Studien zur Geschichte der Weltkrise des 3. Jahrhunderts nach Christus* (1967), 285.

34. For example by J. Molthagen, *Der römische Staat und die Christen im zweiten and dritten Jahrhundert* (1970), 63, 79, 93–98.

35. Eus., *HE* 7, 11, 6–11.

36. For the details, see G. E. M. de Ste. Croix, “Aspects of the ‘Great’ Persecucion,” *HThR* 47 (1954): 75.

37. *Mos. et Rom. legum collatio* VI 4, 1; XV 3. See J. Vogt, *Zur Religiosität der Christenverfolger im römischen Reich* (1962), 25.

38. Eus., *HE* 9, 7, 3–14.

39. E.g., K. Latte, *Römische Religionsgeschichte* (1960), 312–26; M. Nilsson, *Geschichte der griechischen Religion* II² (1961), 384–95.

40. Apart from standard works, such as Lily Ross Taylor, *The Divinity of the Roman Emperor* (1931), and Chr. Habicht, *Gottmenschentum und griechische Städte*² (1970), note especially D. M. Pippidi, “Apothéoses imperiales et apothéose de Peregrinos,” *Studi e materiali de storia delle religioni* 21 (1947–48): 77, and S. Weinstock, *Divus Julius* (1972), 287–96.

41. Lactantius, *De mort. pers.* 34; Eus., *HE* 8, 17.

CHAPTER FIFTEEN

The World of the Golden Ass



Those who study and teach the history of the ancient world suffer from a great disadvantage, which we find difficult to admit even to ourselves: in a perfectly literal sense we do not know what we are talking about. Of course, we can dispose of a vast range of accumulated knowledge *about* what we are talking about. We can compile lists of office-holders in the Roman Empire, without our evidence revealing how government worked or even whether it made any impact at all on the ordinary person; we can discuss the statuses of cities and look at the archaeological remains of some of them (or rather some parts of some of them) without having any notion of their social and economic functions, or of whether it made any real difference whether an inhabitant of the Roman provinces lived in a small city or a large village. We can study the remains of temples, the iconography of gods and goddesses, the nature of myth, ritual and sacrifice; but how and in what way did all this provide an important or intelligible context for a peasant in the fields? In the case of religion in particular our attention turns persistently to the exceptional rather than the ordinary, to those aspects which were novel, imported, mystical, or the subject of philosophical speculation. Let me take a precise example from the *Metamorphoses* or *Golden Ass*, Apuleius' brilliant novel of the second century A.D. The exotic aspects of ancient religion which the novel reveals have always attracted attention: the hero's vision of Isis, and his conversion to the worship of Isis and Osiris;¹ the band of Syrian priests making their fraudulent way through the Greek countryside;² the wicked baker's wife who has abandoned the gods and worships what she says is a single god—in other words, is a Christian.³ But if we really want to understand how the divine order related to ordinary life in antiquity we should start from an incident a few chapters later (9, 33–34). Strange portents occur in a farm-house: a hen lays a live chicken, blood rises from the floor and wine standing in jars in the wine store begins to boil. The farmer and his friends are reduced to bewilderment: what steps should they take, with how many sacrifices of what sort are they to appease the threats of the heavenly powers? They are *afraid*, just as the pagan

world was afraid when too many people began to follow the example of the baker's wife and abandoned sacrifice to the gods.

This story, as Apuleius tells it, has another important characteristic. Rather as in *Wuthering Heights*, the remarkable and fantastic goings-on in Apuleius' novel take place in a solidly realistic background, in this case a farm-house with chickens in the yard, wine jars in store, sheepdogs and sheep. Indeed, I am going to suggest that the realism of tone in the novel may extend beyond purely physical descriptions, to realistic images of social and economic relations, to the framework of communal life in a Roman province, and even, here and there, to the wider context of what it meant to be a subject of the Roman Empire.

I must make clear first how paradoxical this claim is. What we are concerned with is a novel of some 250 pages written in Latin in the second century A.D. by Apuleius, who came from the province of Africa. It is set, however, not in Africa but in central and northern Greece, in the Roman provinces of Achaëa and Macedonia.⁴ The basic narrative is not original to Apuleius, for it already existed in the form of a longish short story in Greek, of which one version survives.⁵ A brief summary of this story will also give the main narrative thread of the *Golden Ass*, which uses all the main incidents. A young man of good family from Patras named Lucius tells the story in the first person. He had been travelling on business in Thessaly, a region whose women had a reputation for magical practices.⁶ In Hypata he had an affair with a slave girl, who allowed him to observe her mistress using magic arts to turn herself into an owl. Lucius asked for the same potion, got the wrong one, and was turned into an ass instead (keeping his human intellect and power of observation). When robbers raided the house, they took him away with them; after various adventures he was rescued, put to work in a mill, sold at Beroëa in Macedonia to some Syrian priests, then in turn to a baker and a market gardener, was requisitioned by a soldier, and finally bought by a rich man from Thessalonica. There a lady fell in love with him and insisted on his making love to her. The master found out and decided to include a scene of the ass making love to a condemned female prisoner in a public show which he was about to put on. Just in time before this public degradation, the ass had been able to apply the formula for release—eating some roses—and was changed back into human form. At this point the story, which is curiously dull in Greek, reaches a rather fine black-comedy ending. For Lucius, in human form, rushes back to the lady, only to find that she thinks him no

longer adequately equipped, and has him ignominiously thrown out. He sets off home, grateful to have escaped from the consequences of his asinine curiosity.

There is no possible doubt that Apuleius based his novel on a version of this story; indeed, he explicitly tells the reader that it derived from a Greek original.⁷ However, he has transformed it in various ways. Firstly, he makes the hero, again called Lucius, come from Corinth, and has the story end there rather than in Thessalonica. Secondly, he replaces the black-comedy ending by the famous and brilliantly described scene of the release of Lucius by the goddess Isis and his subsequent conversion. Thirdly, curiosity (*curiositas*), and its improper application to supernatural things, now becomes a serious theme running through the novel;⁸ at the end the priest of Isis says to Lucius “because you sank to servile pleasures, you have earned the ill reward of your unfortunate *curiositas*” (11, 15). Fourthly, in the Isis scene, and the subsequent conversion, Apuleius *may*—as is generally assumed—be importing into the novel a profound personal experience; and he may even at the end intend to blur the distinction between himself as author, from the African city of Madauros, and Lucius the hero and narrator; for Lucius, who comes from Corinth, has been to Rome to study rhetoric in Latin and finishes up (rather tamely) at the end of the novel as a successful advocate in Rome.⁹ Apuleius himself, born in the 120s, had studied in Carthage, then went to Athens to pursue the study of Greek literature and philosophy and at some stage also practised as an advocate in Rome. In a speech before the proconsul of Africa in 162–63, Apuleius boasted that he had written a whole variety of literary works in prose and verse, in both Greek and Latin.¹⁰ In other words the author of the novel and its fictional narrator have crossed the boundary between the Greek- and Latin-speaking worlds in very similar ways but in opposite directions.

So in the novel Apuleius is portraying a young man from a provincial upper-class society closely parallel to his own. He also, of course, knew Athens and very likely Corinth.¹¹

But when he describes in the novel the world of the small towns of central and northern Greece, I cannot say whether he is using personal knowledge or imposing his conceptions of what was typical. In any case we must remember the distance between the author and his theme: he is describing in Latin a society which spoke Greek; but, far more important, in narrating the adventures of the ass he is making a fictional journey which descends through all levels of contemporary

society. It is therefore a highly self-conscious literary process which has given us some of the very rare representations of lower-class life in the literature of the High Empire. The framework of the existing story is used quite deliberately for social observation: precisely at the point where Lucius as the ass finds himself at the lowest context which he reaches on the economic and social scale—among the wretched slaves working in a mill—he reflects on the opportunities for observation which fortune has granted to him (9, 13):

Nor was there any comfort for the torments of my existence except that I was sustained by my innate curiosity, in that ignoring my presence they all acted and spoke freely as they wished. Quite rightly the divine author of ancient poetry among the Greeks, wishing to portray a man of the highest wisdom, sang of how he had reached the highest qualities by travelling around many cities and gaining the acquaintance of varied peoples; so I myself give grateful thanks to my ass's shape, in that concealed behind it and tested by various fortunes I was rendered if not very wise, at least more experienced.

It is thus that Apuleius, looking through the eyes of Lucius transformed into an ass, can give his unique description of the slaves toiling in the mill, dressed in a few rags, their half-naked bodies scarred with the marks of beatings, their foreheads branded, their heads half-shaved, their feet in fetters, all of them covered in a fine dust of flour (9, 12). It is undeniable that the novel expresses a rare and distinctive level of sympathy with the working lives of the poor.¹² But that is all; I am not suggesting that Apuleius was a proto-Engels, writing his *Condition of the Working Class in Greece*. If there is a parallel to any work of nineteenth-century literature it is, of course, to Anna Sewell's *Black Beauty*, which by a similar device offers a rather underestimated portrait of the different levels of Victorian society from the point of view of bourgeois sentimentality.

The *Golden Ass* has rightly been called an anti-epic,¹³ in which the hero or anti-hero endures a variety of misfortunes before a final liberation from trials. But beyond that there are three original and significant features of its literary character, which are essential to its uses for the historian. Firstly, it is set firmly and unmistakably in the immediate present. The original Greek short story is indeed also set in the Roman Empire. But Apuleius makes Lucius the relative of two real historical persons: Plutarch, who had died in the 120s, and his nephew, the philosopher Sextus of Chaeronea, whom Marcus Aurelius still went to hear when he was emperor after 161.¹⁴

Secondly, and more important, Apuleius fills out the story with a whole series of separate tales or narratives related by characters in it. One of these, the romance of Amor and Psyche, which is narrated to comfort a young lady captured by the robbers, is quite distinct from the others, for it is set in an imaginary time and place and occupies some fifty printed pages; since it has no obvious literary or thematic connection with the rest of the work, endless displays of ingenuity and erudition have gone into demonstrating that this non-apparent connection really is there.¹⁵ But all the other, much shorter stories which Apuleius has added are set in the same time, place, and social context as the main narrative; all offer at least parallels to, or foreshadowings of, episodes in the main story; and the majority are necessary for explaining its development.¹⁶ It is the combined total of the main story and these narrated episodes, some two hundred printed pages of text, which I have called the world of the *Golden Ass*.

But, thirdly, the reason why it is worth exploring this world is the one which I hinted at earlier: that Apuleius clothes his sequence of fantastic episodes in a mass of vivid, concrete, and realistic detail, on physical objects, houses, social structure, economic relations, the political framework of the local communities, and the wider political framework of the Empire. Let me start with an example relating to the emperor. Apuleius borrows from the Greek short story the episode in which the ass, being driven towards their mountain hideout by the robbers, decides to appeal for the Emperor's protection (3, 29). Speaking in Greek of course, he starts off on the words "O Caesar," can manage a loud bray of "O"—but is not equipped to pronounce the rest. Apuleius makes him choose a moment when the robbers are passing by a large village (*vicus*), which is especially full of people because a fair is being held there. Both the short story and the novel offer a very significant image or model of how the emperor was conceived of as an ever present protector. Apuleius adds a revealing presumption about the structure and functioning of social and economic life in the countryside.¹⁷ So, I suggest, we can use the representations in Apuleius in at least three ways: as portrayals of areas of social life which ancient literature usually passes over; as adding colour to patterns which we know already from other, more formal evidence; and—most important—as offering *alternative* models of society to those which we normally accept.

If we combine the main narrative and the stories attached to it into a "world of the *Golden Ass*," we can see that this world of small Greek

towns and villages is not at all isolated from a wider context. Lucius himself has been to Rome and returns there at the end; a Chaldaean soothsayer plies his trade in Corinth (2, 12–14); a young man has come from Miletus to see the Olympic games (2, 21); an Egyptian prophet displays his magical skills in Larissa (2, 28); a group of Syrian priests journeys from village to village (8, 24–9, 10). Travel between different regions of the Empire is simply presumed as an aspect of the wider context.

That presumption affects the wider political framework too. The ass is briefly owned by a soldier, who sells him when ordered to go off to Rome with a letter for the emperor (10, 13); letters carried by messenger between governors and emperor were in fact the essential mechanism which allowed a centralized, if passive, government to be carried on. The emperor is invoked in oaths and prayers (9, 41; 11, 17—along with the Senate, the equestrian order, and the Roman people)—and there is no mistaking the consciousness of the characters that they live in a world with a single ruler,¹⁸ whose name might in principle be used to gain protection. But a real and active intervention by the emperor will only come about in very special circumstances. This is perfectly shown in the false story told to the robbers by a rich young man who arrives at their hideout in disguise to rescue his fiancée. He has to persuade them both that he himself is a famous robber who would add strength to their band and that he has had a convincing piece of bad luck, leading to the destruction of his own band. So he says that he is the renowned robber Haemus whose band had ravaged Macedonia. But by ill-luck a high-ranking *procurator* (financial officer) of the emperor (a *ducenarius*)¹⁹ had lost favour at court and been exiled to the island of Zacynthus—and it was when he, his faithful wife, and their escort of soldiers were staying en route at an inn at Actium that the robbers had happened to attack it and were driven off. They (the robbers) had withdrawn unscathed. But the *procurator*'s wife had afterwards gone back to the emperor and successfully petitioned him both for the restoration of her husband and for the despatch of detachments (*vexillationes*) of legions to destroy the band of robbers.

As it happens, we have an inscription from just this period which records that in about 176 detachments of legions from Moesia were sent south to the territory bordering on Macedonia and Thrace to “dislodge” a band of Thracian brigands.²⁰ But far more important is the implication that, in unimportant areas like Macedonia and Epirus,

only an accident could have stirred the imperial will to action to restore public order; and, more important still, that the mechanism for bringing this about would have been the petition or literally “prayer” (*preces*) of an influential person, answered by the assent, or literally “nod” (*nutus*) of the emperor. Precisely this model of the operations of government was the central theme of *The Emperor in the Roman World*.

If it was only in special circumstances that the emperor would make his distant presence felt, what of the governor of the province—or rather the two proconsular governors of the two provinces—for when Apuleius was writing, probably around 170, Thessaly was part of Macedonia, whose proconsul had his base in Thessalonica?²¹ Both he and the proconsul of Achaëa, with his seat at Corinth, will have had a few auxiliary units of soldiers.²² But in the world described by Apuleius neither they nor any other forces perform regular police functions in town or country.²³ Indeed, when the slave girl describes to Lucius the serious dangers of going out at night in Hypata, she says explicitly “nor can the *auxilia* of the governor, far away as they are, rid the city of such carnage.”²⁴ In the scenes set in Thessaly the Roman proconsul never appears in person. But he is mentioned at least in the scene where the ass’s current master, a gardener, is riding home from market; a soldier appears, questions him in Latin, and on getting no answer beats him with his stick.²⁵ Then he starts again in Greek, saying that the ass must be requisitioned for transporting the baggage of the governor (*praeses*) from the next village (9, 39). The gardener had evidently not read the *Discourses* of Epictetus, published a few decades earlier; for there the advice is given that in exactly this situation one should give up one’s ass promptly when a soldier demands it and avoid a beating.²⁶ At any rate he knocks down the soldier and makes off. This soldier apparently belongs to a unit which is escorting the governor,²⁷ and the scene provides a small fictional example of much the most important area of contact and conflict between state and subject in the Roman Empire—that is, the provision of animals, waggons, supplies, and accommodation for passing messengers and officials, or troops on the move. The tensions thus created are reflected in long series of complaints on the one side and of pronouncements by governors and emperors on the other.²⁸ It is surely significant that in our documentary evidence from outside Egypt far more attention is given to this issue than to that of direct taxation in cash or kind.

In Apuleius’ story the gardener is eventually arrested, and the

soldier takes the ass and loads him with his baggage, his lance prominently on top to terrify the passers-by. Coming to a small town, the soldier stays not in an inn but in the house of a town councillor (*decurio*, 10, 1)—the right *not* to be forced to accept official travellers was an exceptional privilege.²⁹ When he sets off for Rome, the soldier sells the ass, which he has acquired for nothing, and pockets the proceeds. As is generally recognized now, nothing could be further from the truth than Rostovtzeff's idea that the army of the imperial period somehow represented an oppressed peasantry.³⁰ On the contrary, the soldiers were a privileged official class whose presence was feared by ordinary people.

This soldier is represented as being loosely attached to the entourage of the governor as he travels through the province, presumably on his judicial circuit.³¹ But no governor appears in person in the story until the final stage at Corinth, the capital (*caput*) of Achaëa.³² In the famous scene in *Acts* set in Corinth we see the proconsul Gallio on his tribunal when Paul is dragged before him and accused. In Apuleius the proconsul is in his house, when one of the victims of a female poisoner, just before death, rushes to the house demanding his protection, and by loud shouts and raising a disturbance among the people, causes the doors to be opened and a hearing granted (10, 28). The proconsul hears the case and condemns the poisoner to the beasts.

Several things are significant in this process. The governor in a provincial city functions under the pressure of crowds following every interesting turn of events. He too may be staying with a local notable, for there is no certain evidence that the Roman state normally owned official residences for governors.³³ Before her execution the woman is brought out of the public prison of Corinth (*de publico carcere* 10, 34), for it was these city prisons which governors normally used (see "Condemnation to Hard Labour in the Roman Empire," chapter 7 in this volume). The governor is dependent on the city in another way too; for the wild beast show in which the woman is to die is one put on by a rich local magnate to celebrate his assumption of the chief office in the city. Apuleius' description perfectly catches the overtones of local office-holding; "Thiasus, for that was the name of my owner, a citizen of Corinth, ... had held the lower offices in succession, as his descent and dignity demanded, and had now been appointed to the quinquennial magistracy; and as, in order to live up to the glory of assuming the *fascēs* [insignia of authority], he had promised a

gladiatorial show to last three days, he was in the process of making provision for his munificence [*munificentia*].”³⁴ One of the most curious features of the judicial system of the Empire was that local office-holders, putting on shows at their own expense, could *buy* condemned prisoners from the state and have them exposed to wild beasts for the delectation of large crowds. It was regarded as a remarkable act of benevolence by Marcus Aurelius and Commodus that in 177 they reduced the price which the provincial office-holders had to pay.³⁵

We cannot understand the government, such as it was, of the peaceful provinces of the empire if we do not think of the close personal relations which the governor was bound to have with the provincial upper classes and, above all, with those of the city in which he spent most of his time. Exactly for this reason, when the well-born young Lucius from Corinth arrives in Hypata, he is questioned by his host “about our native city and its leading citizens [*primores*] and finally about the governor himself” (1, 26). But in most places the governor was not present (obviously enough); nor—which is perhaps not so obvious—were any forces, officials, or representatives sent by him. The cities ran themselves. Or rather (and this is one of the most vivid impressions left by the novel) they were run by a network of local aristocratic families, whose doings, public and private, were the subject of intense observer participation—approbation, curiosity, indignation, incipient violence—on the part of the lower classes of the towns. The leading families in Apuleius form a social class immediately distinguishable on sight from the rest of the people. Lucius sees a woman arriving in the market-place of Hypata escorted by slaves; her rich dress “proclaimed her a lady [*matrona*]” (2, 2); and the ass at once recognizes the gentle birth (*matronatus*) of a young girl captured by the robbers (4, 23). The upper classes have substantial houses in the cities, with households of slaves with carefully differentiated functions (9, 2; 10, 13). They may own landed properties at a distance (10, 4), in one case run by a slave overseer with a staff of slave shepherds (7, 15; 8, 15), and in another by a slave overseer (*vilicus*) who keeps his accounts (*rationes*) in his house (8, 22); alternatively we find a free tenant bringing a leg of venison as a gift to his landlord (8, 31).

The novel, like the pages of Plutarch’s *Moralia*, written rather more than half a century earlier,³⁶ shows how a network of relationships connected the local aristocrats of different Greek cities. Lucius, from

Corinth, is portrayed as a relative of Plutarch, from Chaeronea; and the grand lady whom he meets in the market-place of Hypata is a relative of his mother (2, 2–3). He brings with him to Hypata a letter of recommendation from Demeas in Corinth, vouching specifically for his good birth (1, 22–23). On another visit to the market-place he meets a friend with whom he has studied in Athens, and who is now aedile, or market supervisor, in his home town (1, 24).

As Apuleius' description of the magnate from Corinth implies, power and influence in these small provincial towns had become largely hereditary. Hence a group of young men (*iuvenes*) of the best birth were free to terrorize the streets of Hypata by night.³⁷ Or a poor man could be driven off his lands by "a rich and powerful young neighbour who misused the prestige of his ancestry, was powerful in local politics, and could easily do anything in the town" (9, 35). On the other side rich people could actively avoid local office and responsibility. When a group of robbers reaches Thebes, they ask who are the richest men there and are told of a wealthy money-changer (*nummularius*) who dresses poorly and uses every means to conceal his wealth "for fear of office and public obligations [*munera publica*]" (4, 9). That touches of course on one of the most familiar themes from the city life of antiquity: the extraction of value from the rich not by taxation but by laying on them the obligation to assume expensive functions directly and in person.³⁸ Here we see the necessary social framework for that process: the man does his best—but everybody in the town knows that his well-guarded house is filled with riches.³⁹

The people of the towns might of course follow the doings of the rich with favour and approbation. The young lady captured by the robbers had been engaged to an aristocratic young man "whom the whole city had adopted as its public son [*filius publicus*]," and the engagement had been celebrated by a procession of the family and relatives to make sacrifices at the temples and public buildings.⁴⁰ When he heroically rescues her and returns home, "the whole city poured out to see the longed for sight" (7, 13; cf. 8, 2). But favour for one person could quickly turn, in the context of a public ceremonial, into a demonstration against another. So, after the death of a leading citizen in Larissa "by ancestral ritual, as he was one of the *optimates*, the public funeral procession was conducted through the forum." But the dead man's father shouts out that he had been murdered by his wife, and the crowd begins to call for fire and stones (2, 27), just as in another scene the crowd determines to stone a witch to death (1, 10).

Again, in a town in Thessaly, an old man goes from the funeral of his younger son to the forum and accuses the elder son of the murder; a regular trial then follows. “By his lamentations he inflamed with such pity and indignation the town council and also the people, that they all shouted that the delays of justice ... should be set aside and that he should be stoned to death, to provide a communal punishment for a communal wrong.” But the magistrates fear that violence will get out of hand, and persuade the council and people that a proper trial should be held. It is conducted in the council chamber (*curia*) with the councillors as jury, and if the charge had been proved the town executioner (*carnifex*) would have carried out the sentence. But it turns out that it was his stepmother who had tried to kill the boy and had only succeeded in giving him an overdose—from which (needless to say) he is just waking up. So the stepmother is sent into lifelong exile, and her slave accomplice executed.⁴¹

These are just the sort of differential penalties for condemned persons of different social status which are well attested in the Roman Empire.⁴² But there is a puzzle here, for on the established view only the governor of a province could carry out capital sentences or impose penalties such as exile;⁴³ and of course as we saw earlier the proconsul of Achaëa was doing just that in Corinth. The same problem arises with the famous scene of the mock trial of Lucius in Hypata (3, 2–9). Here, Lucius, before his transformation, comes back late one night from a party, slays (as he thinks) three robbers, is tried next day by the city council and thinks himself near to a death sentence—when it is revealed that the three victims were really inflated bladders blowing about in the wind. Once again the trial, or mock trial, takes place in the context of intense crowd participation, so much so that the people successfully demand that it should be transferred from the forum to the theatre—which was, of course, a normal meeting place in Greek cities.⁴⁴

So Apuleius’ novel presents one story in which trial and sentence is carried out by a city council and another in which the whole dramatic point would surely have been lost, if the original readers would have known all along that Lucius’ trial could not possibly have been real—that is, if they would have assumed that only the governor could carry out capital sentence. There seem to me to be three possibilities. We can accept that not only the particular course of events but the entire context will have seemed pure fantasy to second-century readers. Or, we can assume that both Apuleius and they knew that the cities of

Thessaly were free cities, in which the writ of the proconsul did not run and which had their own capital jurisdiction. But, the trouble is, were they free cities? I can find no clear proof that they were.⁴⁵ For that matter it is not possible to state exactly what “freedom” for Greek cities under the Empire meant, or whether it always meant the same thing.⁴⁶ In other words, if we switch back to the real world, we find it just as confusing and ambiguous as fiction. Nothing is more illusory than the idea that the real world of the Roman Empire presents us with a clearly defined and intelligible system of public law and administration.

That being so, I should like to try a quite different hypothesis, namely that what the novel represents is Apuleius’ assumptions as to how local justice worked in the cities, irrespective of their formal status, when the governor was not there. In the real world too, we must remember, he usually was not; the more privileged communities were visited by the governor of a province once a year; many never saw him at all. We can, of course, find some cases where a prisoner is duly locked up by city officials to await trial by the governor when he comes.⁴⁷ But I do suggest that, especially when popular indignation was aroused, it is impossible to imagine that such self-restraint normally operated.

Whatever may have happened in reality, in the world of the novel justice is done and public order maintained, if at all, by self-help. When Lucius disappears, having been turned into an ass, it is reported to the robbers that he is thought guilty of the robbery; his slave has been examined by the magistrates of Hypata under torture, and a group of men has been sent to Corinth to seek him out for punishment (7, 2). When the robbers are finally located, a party sets out from Hypata, catches them, and simply executes them (7, 13). A little later some shepherds arrest a man on suspicion of murder and keep him bound overnight in a hut, intending to take him next day to the magistrates for punishment (7, 26). Similarly, an armed group of local men on horseback arrests the Syrian priests for robbery and takes them back to a prison, apparently located in a mere village (9, 9–10; cf. 9, 4). Even the passing soldiers who arrest the gardener bring him to the local magistrates; he is put in the public prison to await a capital penalty (9, 42).

The world we are looking at is one wholly without policing by any imperial forces, except in one very extreme case. Justice is highly localised. A man who realizes that he will be suspected of murder

simply abandons his family, moves to Aetolia, and contracts a new marriage (1, 19). When a group of slaves on an outlying estate hears of the death of their mistress and fears a change of owner, they load all their belongings on pack animals, go on what seems to be a journey of about three days, and settle in a city where they can live without discovery and support themselves (8, 15–23). The cities are not represented as exercising any check on arrivals; when Lucius reaches Hypata, he has to go into an inn to ask which town it is (1, 21). Nor do the towns themselves have any significant police forces. The nearest to that which we meet are the attendants of the market supervisor in Hypata (1, 24–5), and the attendants of the magistrates there who burst into the house where Lucius is, arrest him, and take him to his mock trial; the prosecution is conducted by the prefect of the night watch,⁴⁸ who duly claims to have observed the murder while on street patrol. But Lucius had carried his sword to protect himself, and in the several scenes elsewhere in the novel which represent robbers mounting assaults on the town houses of the rich, no organized police force appears. If the attacks are beaten off, as they twice are,⁴⁹ it is by self-help from within the house, or from neighbours.

Like the potentially violent crowds which demanded justice in the cities, and the arrests of criminals by armed groups, this self-help is an important aspect of the society represented in the novel. But it is by no means the only area in which the novel presents alternative models of ancient society to those which we normally accept. For instance, one influential modern view represents the typical small town in the Roman provinces as not primarily an economic entity, but rather “a social phenomenon, the result of the predilection of the wealthier classes for the amenities of urban life.”⁵⁰ That very important cultural factor is indeed perfectly illustrated in Apuleius: Lucius’ rich female relative in Hypata asks him, “How are you enjoying our native city? To my knowledge we far excel all other cities in temples, baths, and other public works.... At any rate there is freedom for anyone at leisure, and for the stranger coming on business a crowd of people like that at Rome” (2, 19). It is beginning to be recognized, however, that the latter part of that claim is also important. The economic functions of towns in a pre-industrial society can be complex and important in aggregate, even if the units of production and exchange are themselves small.⁵¹ It is therefore all the more worth emphasizing that the towns in Apuleius function, not indeed as centres of production, but as the focus for organized exchanges of goods and the hiring of

labour. All of this is conducted for cash; whatever else this may be, it is certainly a fully monetized economy. Admittedly, when the rich accumulate a surplus, they literally just accumulate it in cash. Lucius' miserly host at Hypata does lend out money against deposits in gold and silver (1, 21); but the bulk of his money simply rests in a heavily locked storeroom (*horreum*) in his house. Everyone in the town knows it is there, and the robbers duly break down the door with axes and take away the money in bags (1, 21; 3, 28). But, otherwise, the cities are the scenes of active exchanges for cash: in the market-place of Hypata fish is available for sale, and hay for horses can be bought for cash (1, 24). A man who is by profession a vendor of cheese and related products, travelling throughout Thessaly, Aetolia, and Boeotia, comes to Hypata, perhaps for the day of a special cheese market, only to find that a large operator (*negotiator magnarius*) has bought up the entire supply (1, 5). The poorest free person whom we meet in Apuleius is the market gardener who works a small patch of land without even a house; none the less, he too drives the ass to the town each morning to sell his produce to the retailers (9, 32). The market-places are also the scene of regular auctions; the runaway slaves can immediately have their animals auctioned for cash (8, 23–25), and a traveller short of money can find an auctioneer advertising for someone to be paid in cash for watching a corpse at night (2, 21–23). If all else failed, one could earn a poor income in cash by portering (*saccaria*, 1, 7), or just beg for coins at the crossroads (1, 6). No doubt the inns, where you also paid in cash (1, 17), did not receive quite as many people as those of Rome. But what is clear is that the towns are represented as providing real concentrations of activity both by way of exchange and in the hire of labour. Crowd reactions, to good or bad news, or the handling of wrongdoers, surely also imply chronic under-employment, and hence the availability of labour for hire. Given the constant exchanges of cash, it is not surprising that the towns have professional money-changers (*nummularii*); when a slave pays a doctor a large sum for a drug, the coins are sealed in a bag, to be checked next day by a money-changer (10, 9).

What is more striking in Apuleius is the level and nature of economic activity outside the towns, firstly in villages (called *pagus*, *castellum*, or *vicus*), and secondly in the countryside itself. Before I give some examples, I should remind you of how the economic life of the peasantry was described in a very interesting recent article: “The economy of the Roman empire, in spite of its sophistication in some respects, was predominantly a subsistence economy.... The bulk of the

labour force in the Roman empire, perhaps 80–90 per cent, were primarily peasants who produced most of what they themselves consumed and consumed most of what they produced.”⁵² The same passage admits, however, that the countryside was affected by the monetary economy, and all I can say in this context is that it is this aspect of rural economic life which the novel puts before us. In the story a village too may have an auctioneer; one of these sells off the ass to a baker from the next village, who is also buying a quantity of corn for cash (9, 10). The baker’s neighbour is a fuller (9, 22), and both households conduct their trade in their immediate living quarters, the one with wooden troughs in which flour is sifted (9, 23), the other with wickerwork frames on which cloth is placed for whitening with sulphur (9, 24). In the same village where the ass is sold there is a *faber*, apparently a free man, who works under an *offinator* or owner of a workshop. He works for cash, to buy food; his wife works at wool making (*lanificium*), also for cash, with which they buy oil for lighting (9, 5). When pressed for cash they sell a large jar which is standing in their house (9, 7).

That a household could be a multiple economic unit is also clear elsewhere. The rich young lady with whom the ass is rescued gives him into the care of her slave chief herdsman (*armentarius equiso*), who takes him out to a country property. There the ass is used by the man’s wife to turn a mill which grinds corn for the neighbours and earns a cash revenue; the barley meant for the ass’s upkeep is also ground in the mill and sold to neighbouring tenants (7, 15). Released from the mill, the ass is given over to a slave boy whose job is to gather wood in the hills; but once again it turns out that he sells the wood for cash, for use in a next-door household (7, 17–20). I will come back later to this process of gathering from the wild. It is enough to emphasize now that the world portrayed by Apuleius involves cash exchanges for produce right down to the lowest levels. We even find that the slave shepherds in flight ask a goatherd grazing his flock beside the track whether he has milk or cheese for sale (8, 19). The only trace of a subsistence economy in Apuleius is a seasonal one; over the winter the market gardener, having nothing left to sell, lives on overgrown vegetables from his plot which have run to seed (9, 32). In other words all the food-producing operations are specialised, and the products are exchanged for cash. Villages and countryside have small, domestic-scale establishments for processing food or clothes. When we have read Apuleius we might carry away the image not of a subsistence economy but of something more like

Alan McFarlane's deliberately provocative description of thirteenth-century England: "a capitalist-market economy without factories."⁵³

Direct production for household consumption does appear, but seems to be more characteristic of the *richer* households, which can achieve the necessary variety of production. It is in that context, and only there, that transfers of produce occur which are not for cash, that is, are gifts. So a wealthy neighbour of the market gardener promises him a gift "from his estates" of corn, olive oil, and two jars of wine (9, 33). The same background is implied when Lucius' rich female relative in Hypata sends him as gifts (*xeniola*) a pig, five chickens, and a jar of wine, for use at dinner (2, 11).

In a different context, the tenant (*colonus*) of a rich landlord brings him as a gift (*munus*), a leg of venison—the product, as is explicitly stated, of a hunting expedition (8, 31). With that we come to another side of the ancient economy, and one which is almost wholly neglected. The oft-repeated modern doctrine that agriculture was the fundamental economic activity of the ancient world is of course obviously true but none the less gives a wholly inadequate impression of people's relations to the earth and its products. In the world of Apuleius at least, the people of the countryside are not only agriculturalists; they are also pastoralists whose flocks live in wild country, and for that matter they are hunters and gatherers. To be strict, gathering appears only in the story of the slave boy collecting wood in the hills; but any description of the economy of the ancient world which ignored the gathering of food and other products from the wild would be hopelessly inadequate.⁵⁴ Hunting, however, is a fundamental feature of the world in which Apuleius' characters live. Human habitation exists against the backdrop of a landscape in which there are bears (4, 13; 7, 24), wolves (7, 22; 8, 15), boar (8, 4), deer (8, 31), and wild goats (8, 4), not to speak of the unspecified "wild beasts" which the rich man from Corinth has come to collect in Thessaly for his show (10, 18). In consequence the group of shepherds in flight are armed with throwing-spears, heavy hunting spears, arrows, and clubs (8, 16). When force has to be applied against neighbours, a rich household in the country can deploy swords and spears, and call out large and ferocious sheepdogs (9, 36–38). Then again, when the Syrian priests are staying in the house of the leading citizen (*vir primarius*) of a town, the ass is thought to have rabies. The slaves of the household instantly seize spears and axes, until the ass demonstrates by drinking water that he does not have rabies. This

town house is also equipped with a stable of horses and a pack of hunting dogs (9, 2).

Nearly all the features which I have tried to isolate in the world of the *Golden Ass* come together in the marvellous mock-heroic story told in the robbers' hideout and added to the main narrative framework by Apuleius (4, 13–22). One group of robbers had gone south into Boeotia; at Plataea they found busy talk of the show which was to be put on by a local notable, Demochares: “[F]or he was a man of distinguished birth, great wealth and eminent liberality, and was preparing public entertainments [*voluptates*] with a splendour worthy of his fortune.” He had assembled gladiators, *venatores*, to fight against wild beasts, and condemned criminals (*noxii*) to be eaten by the beasts. The beasts were bears, acquired in three ways: by his own hunting expeditions, by purchase, and by gift from his friends. Unfortunately, in spite of heavy expenditure on upkeep, many of the bears died; their corpses were thrown out on the streets and were seized and eaten by the starving poor.

The robbers therefore skinned one of these deceased bears and put one of their leaders inside it. They took the supposed bear to Demochares and produced a forged letter saying that it was a gift from a friend of his in Thrace who had caught it while hunting. With that they went off, richly rewarded with coins from the store kept in the house—and, in a touch which is typical of the narrative, the people of the town rushed to see the bear and commented with one voice (*consonaque civium voce*) on Demochares' good luck.

At night the robbers came back, and the one disguised as a bear got up from the courtyard, killed the slave janitor, opened the door with his key, and let them in. In the house he showed them the storeroom (*horreum*) filled with silver, which they carried off in coffins taken from a tomb outside the town. But before they could come back for a second load, the household woke up, and the supposed bear was confronted with slaves armed with clubs, spears, and swords, supported by fierce hunting dogs. The story ends with a fine mock-heroic narration of his death—reminding us, if we needed it, that what we are reading is just fiction.

None the less, the novel does offer us a complex and significant portrait of a provincial society: the network of relationships among the provincial aristocracy; the political functions, displays, and generosities of the rich, as acted out in front of their local communities; the crude accumulation of wealth side by side with

extreme poverty; an economy which was both monetized on the one hand and gave a large place to hunting in the wild on the other; a world where brigandage was rife, but where society could close ranks to exert force where it was needed, and was fully armed to do so. The forces of the governor were few and far away; to come back to a question which I raised earlier, I suggest that we should not believe for a moment that in the real world the execution of justice on local murderers or robbers was dutifully left to the governor's discretion. The emperor's distant existence was felt by all. But only very special circumstances would bring his forces into action. We should not be surprised, after reading Apuleius, to find that just about this time Thespieae in Boeotia sent a contingent to fight on campaign with Marcus Aurelius,⁵⁵ or that when a marauding group of barbarians from the Black Sea reached Boeotia, they were attacked and slaughtered by a local force.⁵⁶ We might recall that Apuleius says that the armed group of shepherds in flight needed only a trumpet to resemble a real army (8, 16).⁵⁷

Of course, we must not forget that all this is not only fiction but is a Greek short story transformed and expanded in Latin by a rich and well-born writer from Africa. When he went to Athens, it was not to study the lives of the poor in the Greek countryside but to earn the title which his fellow citizens in Madauros were to give him, "the Platonic philosopher."⁵⁸ In writing his novel, with its exuberant descriptive detail and powerful erotic elements, he was not, in intention, reporting anything, but inventing a world in which to set the adventures of Lucius. But the invented world of fiction may yet represent—perhaps cannot help representing—important features of the real world.⁵⁹ For the historian, the *Golden Ass* depicts levels of social and economic life which the vast mass of surviving classical literature simply ignores; it adds depth and perspective to patterns which we know from other evidence, for instance, in portraying the roles played by the local aristocracies, as seen from below. But, above all, it offers us alternative models—of the operations of justice or the nature of economic life outside the towns—to those which we generally accept. The images gained from the novel can be used, in other words, to apply new questions and new hypotheses to the bewildering mass of data which survives from the real world of the Roman Empire.

* First published in *JRS* 71 (1981): 63–75, and reprinted in S. J. Hornblower, ed., *Oxford Readings in the Roman Novel* (1999), 247. This chapter represents the almost unaltered text of an Inaugural Lecture given at University College London on 2 March 1981. I am very grateful to Michael Crawford and Nicholas Horsfall for information and discussions on various points.

1. *Met.* 11. See esp. J. Gwyn Griffith, *Apuleius of Madauros: The Isis-Book (Metamorphoses, Book XI)* (1975).

2. *Met.* 8, 24–29, 10. See F. Cumont, *Les religions orientales dans le paganisme romain*⁴ (1929), chap. 5.

3. *Met.* 9, 14. See esp. T. D. Barnes, *Tertullian* (1971), app. 21; M. Simon, “Apulée et le Christianisme,” *Mélanges d’histoire des religions offerts à Henri-Charles Puech* (1974), 299.

4. It is quite probable, as argued by G. W. Bowersock, “Zur Geschichte des römischen Thessaliens,” *Rh. Mus.* 108 (1965): 277, that Thessaly was transferred from Achaea to Macedonia at the moment of Nero’s grant of freedom in 67. As he points out (pp. 285–86), *ILS* 1067 does not imply that Thessaly is within the same province as Athens, Thespieae, and Plataea. But it is in any case clear from Ptolemy, *Geog.* 3, 12, 13–14, and 42 (Müller), that in Pius’ reign Thessaly was part of Macedonia; cf. L. Robert, *Hellenica* V, 29–30.

5. I refer to *Lucius or the Ass* preserved in the works of Lucian (most readily available in the Loeb Lucian, vol. VIII, 47–48), and venture no further on the question of the authorship of this or its relation to the *Metamorphoses* of (?) Lucius of Patras, briefly summarised by Photius, *Bibl.*, cod. 129. For all these questions, see H. Van Thiel, *Der Eselsroman* I–II (1971–72).

6. For other allusions, see Bowersock (n. 4), 278.

7. *Met.* 1, 1. See esp. A. Mazzarino, *Le milesia e Apuleio* (1950); H. J. Mason, “Fabula Graecanica; Apuleius and His Greek Sources,” in B. L. Hijmans and R.Th. van der Paardt, *Aspects of Apuleius’ Golden Ass* (1978), 1. Cf. J. Tatum, *Apuleius and the Golden Ass* (1979).

8. See esp. S. Lancel, “‘Curiositas’ et préoccupations spirituelles chez Apulée,” *Rev. Hist. Relig.* 160 (1961): 25; J. Tatum (n. 7), 22–23, 76–77; and esp. A. Wlosok, “Zur Einheit der Metamorphosen des Apuleius,” *Philol.* 113 (1969): 68.

9. For the “conversion,” see n. 1 and, e.g., A. D. Nock, *Conversion* (1933), chap. 9. For speculations on the autobiographical element, see, e.g., J. Hicter, “Autobiographie dans l’Âne d’or d’Apulée,” *Ant.*

Class. 13 (1944): 95; 14 (1945): 61. But note the salutary scepticism of J.-C. Fredouille, *Apulée, Metamorphoses Livre XI* (1975).

10. *Flor.* 9, 27–29. There is no need to rehearse here the biographical evidence about him, which is collected in M. Schanz, C. Hosius, and G. Krüger, *Geschichte der römischen Literatur* III³ (1922), 100–102.

11. For his possible knowledge of Corinth and Cenchreae, see, e.g., P. Veyne, “Apulée à Cenchrées,” *Rev. Phil.* 39 (1965): 241; H. J. Mason, “Lucius at Corinth,” *Phoenix* 25 (1971): 160. For Cenchreae, see now R. Scranton, J. W. Shaw, and L. Ibrahim, *Kenchreai: Eastern Port of Corinth I: Topography and Architecture* (1978): esp. 71 on the possible site of the shrine of Isis (Paus. 2, 2, 3). For a collection of evidence on Corinth, J. Wiseman, “Corinth and Rome I: 228 B.C.–A.D. 267,” *ANRW* VII.1 (1979), 438.

12. See the interesting if not entirely convincing essay by N. Fick, “Les Metamorphoses d’Apulée et le monde du travail,” in J. M. André et al., *Recherches sur les artes à Rome* (1978), 86.

13. See G. Cooper, “Sexual and Ethical Reversal in Apuleius: The *Metamorphoses* as Anti-Epic,” in C. Deroux, ed., *Studies in Latin Literature and Roman History* II (1980), 436.

14. *Met.* 1, 2; 2, 2–3. For Plutarch and his family, see C. P. Jones, *Plutarch and Rome* (1971), chap. 1. For Marcus still hearing Sextus of Chaeronea while Emperor, Philostratus, *Vit. Soph.* 2, 1; Dio 71, 1, 2. For terminology in the novel implying a setting in the mid-second century, see also n. 19 below.

15. See, e.g., P. Grimal, *Apulée, Metamorphoseis* (IV, 28–VI, 24) (*le conte d’Amour et Psyche*) (1963); G. Binder and R. Merkelbach, eds., *Amor und Psyche (Wege der Forschung, 1968)*; F. E. Hoevels, *Märchen und Magie in den Metamorphosen des Apuleius von Madaura* (1979), 1: “The enquiry into the meaning of the Amor and Psyche episode (4, 28–26, 24) was and has remained the central question in Apuleius studies to this day.”

16. The narrated “real-life” episodes are (1) 1, 5–19, Aristomenes’ story, told by himself and set in Hypata; (2) 2, 13–14, the story of Diophanes the Chaldaean at Corinth, told by Lucius’ host Milo; (3) 2, 21–30, Thelyphron’s story, told by himself and set in Larissa; (4) 4, 9–21, the story of the robber Lamachus and others, told by one of his companions and set in Boeotia; (5) 7, 5–8, the exploits of the pretended robber Haemus, told by himself (in reality, Tlepolemus) and

set in Macedonia and Epirus; (6) 8, 1–14, the story of Charite and Tlepolemus, told by one of her slaves; exact setting unclear, but in the same region as the rest; (7) 9, 5–7, the *faber* and his wife; narrator not indicated; (8) 9, 17–21, the decurion Barbarus and his wife's lover, told by an old woman to the baker's wife; (9) 9, 35–38, the fate of the three sons of the *hortulanus*' rich patron, narrator not identified; (10) 10, 2–12, the story of the wicked stepmother, overheard from conversations by the ass, and set somewhere in Thessaly; (11) 10, 23–28, the story of the condemned Corinthian woman; no specific narrator.

17. For comparative material, see the important article by R. MacMullen, "Market-Days in the Roman Empire," *Phoenix* 24 (1970): 333.

18. For the theme of the function of the imperial cult in inducing consciousness of belonging to a single political framework, see K. Hopkins, *Conquerors and Slaves* (1978), chap. 5: "Divine Emperors or the Symbolic Unity of the Roman Empire."

19. *Met.* 7, 6: "a procurator of the princeps who filled a ducenariate post" (*procuratorem principis ducenaria perfunctum*). This is only the second recorded usage of the term, the earliest being Suetonius, *Claudius* 24. Documentary uses begin in the reign of Marcus Aurelius with *AE* 1962, 183: "To the rank of a ducenariate procurator" (*ad ducenariae procurationis splendorem*). See *JRS* 53 (1963): 197 (chapter 8 in this volume), and H.-G. Pflaum in *Bonn. Jahrb.* 171 (1971): 349. For the deployment of a fairly new technical term, note also "legal representative of the imperial treasury" (*fisci advocatus*, 7, 10), used ironically of one of the robbers; for its coming into use in Hadrian's reign, see *HA*, v. *Had.* 20, 6; for the earliest attested case, W. Eck, *RE Supp.* XV, col. 123, s.v. "Iulius" (228a).

20. *AE* 1956, 124, see Pflaum, *Carrières*, no. 181 *bis* (M. Valerius Maximianus): ("put in charge of legionary detachments and sent to the territory between Macedonia and Thracia to get rid of the band of Brisean robbers" (*praeposito vexillationibus et at (sic) detrahendam Briseorum latronum manum in confinio Macedon(iae) et Thrac(iae) ab Imperatore misso*). On the Brisei, see Pflaum, *Carrières*, I, 489.

21. For the division, see n. 4. The proconsul of Macedonia appears in the last section of *Lucius or the Ass* (54–55).

22. See E. Ritterling, "Military Forces in the Senatorial Provinces," *JRS* 17 (1927): 28; R. K. Sherk, "Roman Imperial Troops in Macedonia and Achaëa," *AJPh* 78 (1957): 52 (not considering the evidence from

Apuleius); also W. Eck, "Prokonsuln und militärisches Kommando. Folgerungen aus Diplomen für prokonsulare Provinzen," *Heer und Integrationspolitik. Die römischen Militärdiplome als historische Quelle* (Passauer Historische Forschungen 2, 1986), 518–34.

23. In this the novel contrasts clearly with the martyr acts, where Roman soldiers perform an active police role; see G. Lopuszanski, "La police romaine et les Chrétiens," *Ant. Class.* 20 (1951): 5.

24. *Met.* 2, 18.

25. The soldier is described simply as a *miles* but has *vitis* (a staff) with a thickened end (normally thought of as the mark of a centurion); see, e.g., G. Webster, *The Roman Imperial Army*² (1979), 132. Exactly the same contradiction confronts us in the grave relief of a *miles* from Corinth; see M. Šašel Kos, *JRS* 68 (1978): 22, who also notes (p. 23) that there are a number of such depictions of soldiers with a *vitis* from Achaëa and Macedonia, and suggests (p. 24) some connection with service in the so-called unarmed provinces (*provinciae inermes*).

26. Epictetus, *Diss.* 4, 1, 79, quoted by M. Rostovtzeff, *The Social and Economic History of the Roman Empire*² (1957), chap. 8, n. 37 (also referring to the story of the gardener, the only episode from Apuleius used by Rostovtzeff).

27. It is puzzling that the soldier should be described as a "soldier from a legion" (*miles e legione*; 9, 39). Apuleius might in this case have been misled by the system in Africa, where the *legio III Augusta* provided the staff-soldiers (*beneficarii*) for the proconsul (Tacitus, *Hist.* 4, 48). On the other hand the soldier's superior officer is described (10, 13) as a *tribunus* (compare the *tribunus* at the head of a *cohors* serving under Caecilius Classicus as proconsul of Baetica, Pliny, *Ep.* 3, 9, 18). *Tribuni* of auxiliary units must have been in command of a *cohors milliaria* (cohort of a thousand men), and what seems to be the same superior officer appears in 10, 1 as *praepositus*: "his *praepositus*, who had the command over a thousand armed people." For comparable usages, see R. E. Smith, "Dux, Praepositus," *ZPE* 36 (1979): 263.

28. See now S. Mitchell, "Requisitioned Transport in the Roman Empire: A New Inscription from Pisidia," *JRS* 66 (1976): 106.

29. For release (*anepistathmeia*) from the obligation of *hospitium* (providing for official travellers and soldiers), see, e.g., R. K. Sherk, *Roman Documents from the Greek East* (1969), no. 57; *FIRA*² I, no. 56;

73; Dig. 50, 4, 18, 30; 27, 1, 6, 8; F. Millar, *The Emperor in the Roman World* (1977; 2nd ed., 1992), 460–61 (athletes); T. Drew-Bear, W. Eck, and P. Herrmann, “Sacrae Litterae,” *Chiron* 7 (1977): 355 (senators).

30. See Rostovtzeff (n. 26), chap. 11.

31. For the proconsul’s assize tour, see G. P. Burton, “Proconsuls, Assizes and the Administration of Justice under the Empire,” *JRS* 65 (1975): 92. It is attested that Beroea in Macedonia was an assize centre, and the system probably existed in all proconsular provinces (p. 97). Note that the appointment of *tutores* (guardians) for the children of a man thought to be dead is alluded to in *Met.* 1, 6: “[G]uardians are appointed for your children by decree of the provincial *iuridicus*.” No deductions should be drawn from the use of the term *iuridicus*, which simply means the proconsul, as does *dikastēs* in *Lucius or the Ass*, 55.

32. *Met.* 10, 18.

33. The evidence on this puzzling question is very well collected and discussed by R. Egger, *Das Praetorium als Amtssitz und Quartier römischer Spitzenfunktionäre* (1966), without revealing what sort of “residence,” owned by whom, was used by proconsuls in the “capitals” of their provinces. See now R. Haensch, *Capita Provinciarum: Statthaltersitze und Provinzialverwaltung in der römischen Kaiserzeit* (1997).

34. *Met.* 10, 18. For Corinth, see n. 11 above. The office of *duovir quinquennalis* (one of the pair of annual magistrates elected each five years with the task of taking the census) in the colony is well attested on inscriptions; see, e.g., *Corinth VIII.2: Latin Inscriptions*, 157. The assumption that Lucius’ first language will have been Greek is fully reflected in the rapidly changing balance of Latin and Greek inscriptions in the second century; see *Corinth VIII.3: The Inscriptions, 1926–1950*, 18–19. [Dio], *Or.* 37, 26 (perhaps by Favorinus) records the Hellenisation of the city.

35. For the well-known decree of the Senate (*senatus consultum*) of 177, see J. H. Oliver and R. E. A. Palmer, *Hesperia* 24 (1955): 320. For this interpretation, see Millar (n. 29), 195.

36. See Jones (n. 14), chap. 5, “Plutarch’s Society: *Domi nobiles*.”

37. 2, 18. Cf. *Dig.* 48, 19, 28, 3 (Callistratus) on the difficulty for the governor in repressing the disorderly conduct “in some cities” of those “who commonly called themselves ‘the young men’ [*iuvenes*].”

38. The best analysis of this situation, as it existed in the classical

and early Hellenistic Greek city, is provided by P. Veyne, *Le pain et le cirque* (1976), chap. 2, translated as *Bread and Circuses* (1990). The remark of Rostovtzeff (n. 26), chap. 8, n. 41, that there is no adequate treatment of the history of liturgies under the Empire, remains valid. For a useful recent collection of legal evidence, see W. Langhammer, *Die rechtliche und soziale Stellung der "Magistratus Municipales" und der "Decuriones"* (1973), 237–38. But see now L. Neesen, "Die Entwicklung der Leistungen und Ämter (*munera et honores*) im römischen Kaiserreich des zweiten bis vierten Jahrhundert," *Historia* 30 (1981): 203.

39. *Met.* 4, 9: "satisfied with a small, albeit sufficiently fortified house, wearing rags and sordid in all other respects, he nestled over his bags of gold [*aureos folles*]." In a very general way the term *aureos folles*, reflecting the custom of storing money in bags, foreshadows the usage which becomes official in the early fourth century, when *follis* becomes a term for a unit of currency. See A. H. M. Jones, "The Origin and Early History of the *Follis*," in *The Roman Economy* (1974), 330; M. H. Crawford, *ANRW* II.2 (1975), 586.

40. *Met.* 4, 26. As regards the remarkable expression *filius publicus*, I owe to Riet van Bremen the perception that the inscriptions of the Greek cities often emphasize the private virtues of members of the leading families as expressed in their public life.

41. *Met.* 10, 6–12. For the sentences, 10, 12: "[T]he stepmother was condemned to perpetual exile, whereas the slave was crucified by means of the *patibulum*." *Patibulum* seems to be used here as a synonym for cross (*crux*); cf. Th. Mommsen, *Römisches Strafrecht* (1899), 920–21 (not discussing this passage), and *RE*, s.v. "Patibulum."

42. See P. Garnsey, *Social Status and Legal Privilege in the Roman Empire* (1970), pt. II.

43. For a statement of the principle, see, e.g., A. N. Sherwin-White, *Roman Society and Roman Law in the New Testament* (1963), 35–36, 75–76. For a survey of the evidence which may cast some doubt on the general assumption that local courts did not and could not carry out capital sentences, see E. Schürer, *History of the Jewish People* II, ed. G. Vermes, F. Millar, and M. Black (1979), 219, n. 80, and D. Nörr, *Imperium und Polis* (1966), 30–31; note *Syll.*³ 799 (Cyzicus, A.D. 38), showing that the city authorities there could impose a sentence of exile from the city.

44. For meetings in the theatre, see J. Colin, "Apulée en Thessalie;

fiction ou vérité?,” *Latomus* 24 (1965): 330, on p. 342, n. 3; cf. Colin, *Les villes libres de l’Orient gréco-romain et l’envoi au supplice par acclamations populaires* (1965), chap. 3 (assuming that the procedure depends on the freedom of the cities of Thessaly).

45. Julius Caesar certainly granted freedom to the Thessalians; see Plut., *Caesar* 48; Appian, *BC* 2, 368. Thereafter the situation is obscure, and neither the existence of Thessalian coins, nor Thessalian votes in the Amphictyonic league (Pausanias 10, 8, 3) nor the adoption of new eras in A.D. 10–11 and again in A.D. 41 necessarily imply grants of freedom—so R. Bernhardt, *Imperium und Eleutheria* (1971), 202, 208. *ILS* 1067, showing P. Pactumeius Clemens, suffect consul in 138, as “*legatus* of the divine Hadrian in Athens, Thespii, Plataeae, as well as in Thessalia” *might* imply the freedom of Thessaly; but the freedom of Plataea is *deduced*, e.g., by Larsen, *ESAR* IV, 447, from its presence on this inscription.

46. Cf. the complex variations discussed by R. Bernhardt, “Die Immunitas der Freistädte,” *Historia* 29 (1980): 190 (on freedom from tribute).

47. This pattern is clear in the case of the martyrs of Lyon, Eusebius, *HE* 5, 1, and especially in the martyrdom of Pionius at Smyrna; see Knopf, Krüger, and Ruhbach, *Ausgewählte Märtyrakten*, no. 10; Musurillo, *Acts of the Christian Martyrs*, no. 10.

48. *Met.* 3, 2–3: *nocturnae custodiae praefectus*. The term must translate *nyktostratēgos*, attested on a number of inscriptions from Greek cities; see esp. Jones, *The Greek City*, 212.

49. *Met.* 4, 9–11; 19–21. The realistic and unheroic character of the robbers’ tales of defeat is well brought out by P. A. McKay, “*Kleptika*: The Tradition of the Tales of Banditry in Apuleius,” *Greece and Rome* 10 (1963): 147.

50. A. H. M. Jones, “The Cities of the Roman Empire,” in *The Roman Economy* (1974), 1, on p. 31.

51. See the valuable article by K. Hopkins, “Economic Growth and Towns in Classical Antiquity,” in P. Abrams and E. A. Wrigley, eds., *Towns in Societies* (1978), 35; the rest of that volume also presents much relevant material and argument.

52. K. Hopkins, “Taxes and Trade in the Roman Empire (200 B.C.–A.D. 400),” *JRS* 70 (1980): 101 on p. 104.

53. MacFarlane, *The Origins of English Individualism* (1978), 196.

54. I know of no serious reflection on this fact except J. M. Frayn,

“Wild and Cultivated Plants: A Note on the Peasant Economy of Roman Italy,” *JRS* 65 (1975): 32 = *Subsistence Farming in Roman Italy* (1979), chap. 4.

55. See A. Plassart, “Une levée de volontaires Thespiens sous Marc Aurèle,” in *Mélanges Glotz* II (1932), 731; and C. P. Jones, “The Levy at Thespieae under Marcus Aurelius,” *GRBS* 12 (1971): 45.

56. Pausanias 10, 34, 5.

57. For comparative evidence, note P. A. Brunt, “Did Imperial Rome Disarm Her Subjects?,” *Phoenix* 29 (1975): 260.

58. *Ins. lat. d’Alg.* 2115 (Madauros); cf. *PIR*² A 958.

59. For comparable attempts to use ancient fiction, see, e.g., P. Veyne, “Vie de Trimalcion,” *Annales* 16 (1961): 213; A. M. Scarcella, “Les structures socio-économiques du roman de Xénophon d’Éphèse,” *REG* 90 (1977): 249. Both the title and the approach adopted in this chapter were suggested by Ivan Morris, *The World of the Shining Prince* (1964), using Murasaki’s *The Tale of Genji*.

CHAPTER SIXTEEN

Empire and City, Augustus to Julian: Obligations, Excuses, and Status



Introduction

The early Roman Empire rested on a network of cities, which were capable both of conspicuous expenditure locally, in the form of public buildings, shows, and festivals, and of carrying many of the functions of government; but by the fourth century their capacity to perform these roles had drastically declined. Both the capacity and the decline depended in part on the availability or inavailability of the richer classes to undertake expenditures associated with public offices or with liturgies. These remarks are of course mere common-places. They have become so, in the first place, because precisely these changes were noted, and the issues relating to them consciously formulated, in the fourth century itself. So Libanius writes in his *Funeral Oration* for Julian:¹

He showed the same care also in relation to the councils in the cities, which formerly flourished in both numbers and wealth, but by that time had come to nothing, since their members, except for a very few, had switched course, some into military service, some into the Senate.... The remainder were all but sunk, and for the majority of them undertaking public services [*to leitourgein*] ended in beggary. Yet who does not know that the vitality of its council is the soul of a city? But Constantius, while in theory aiding the councils, in practice was their enemy, by moving elsewhere men who sought to evade them, and granting illegal exemptions [*ateleiai*].

Three points should be noted here: Libanius assumes an evolution which was, if not universal, at any rate general throughout the Empire; the crisis is regarded as having been caused by the availability of roles or statuses which offered an alternative to the obligations of city councillors; and this availability itself is seen as a product of imperial actions, which (as Libanius goes on to say) Julian had taken steps to reverse.

This chapter has the aim of analysing the main features of the evolution in the relations of city and Empire which lay behind Julian's

measures. As regards the three points just made, we certainly cannot *assume* an exactly similar development in all parts of the Empire. The uneven distribution in time and space both of literary and documentary evidence and of the results of excavation clearly rules out any such confident generalisation; it has been argued, for instance, that the cities of North Africa do not show the “decline” in the late Empire which we normally tend to presume.² But, as the following pages will illustrate, it is beyond question that evidence which can indeed be located in space and time shows that the tensions and issues described by Libanius were felt in many different parts of the Empire. Much more significant than that, however, is the presupposition that the Empire was a unified system, whose workings at a local level were directly and effectively subject to rulings made by the emperors.

For the fourth century itself it is only necessary to look at any page of the *Codex Theodosianus* to see that the role of emperor included the function of issuing general rules, even if many of their pronouncements were in form replies to office-holders, provincial leagues, or city councils. For the earlier Empire the situation is not so clear: it can be argued that imperial activity typically consisted in the formulation of responses to individual cases.³ Yet it can also be suggested with some justice that to concentrate on the form or occasion of typical imperial pronouncements is to miss the extent to which these pronouncements did in fact have the function of formulating general rules.⁴ Even a response to a particular issue might serve as the basis for a more general ruling by the same emperor, or a later one; or, as is evident throughout the classical juristic writings excerpted in the *Digest*, it might give rise to a general principle or a new, generalised exception to a standing principle. It may be useful to take an example, from Papinian, writing under Septimius Severus:⁵

In the conferment of *honores* [offices] neither being over 70 nor being the father of five children affords exemption. But in Asia those who can claim five children are not compelled to undertake the high priesthood of the province, as our best and greatest *princeps* Severus Augustus ruled in judgement [*decrevit*], and afterwards laid down in a constitution [*constituit*] that this should be the rule in the other provinces.

In this case it is clear that Severus in the first instance made a particular exception for Asia, when judging a dispute about liability, and then generalised it so far as to include all provincial high priesthoods (but without abandoning the overall rule). When others

subsequently claimed exemption from *honores* on the grounds of the number of their children, they found their petitions rejected, as for example by Severus Alexander (*CJ* 10, 52, 1). We can thus regard even the giving of individual responses by the emperors as contributing to the formation of a body of rules which were in principle valid throughout the Empire.

Three important characteristics of this system must however be emphasized. Firstly, the body of rules thus created was not so much enforced by any apparatus of government as available for use by interested parties making claims or bringing suits, and then by officials or emperors giving rulings in response. How, to what extent, and to whom the content of the constantly evolving case law of imperial rulings was known in the provinces is a question which—if there were any way of answering it—would be of fundamental importance for the nature of the Empire. Second in importance is the operation of what has been called the “beneficial ideology,”⁶ that is, the role of the emperors in dispensing favours, exceptions, and exemptions, usually in response to requests from individuals or groups. It lay in the nature of such a role that the emperors should frequently, but not invariably, assent to such requests. There was thus a clear contradiction between the emperor’s function in formulating rules and his role as the dispenser of individual benefits. The tension between rule and exception is fundamental to the nature of imperial law-giving.

Thirdly, imperial law-giving was by no means confined to Roman civil or criminal law; on the contrary, a significant part of the content of our standard sources for “Roman law” involves far wider issues of the social and communal life of the provinces. The *Digest* above all is thus a major document of social history, primarily that of the later second and early third centuries. In particular, imperial law-giving and rule formulations profoundly affected the framework of provincial city life, and nowhere more so than in the area of the obligation to undertake offices (*honores/archai*) or duties (*munera/leitourgiai*). As Libanius emphasizes in the passage quoted, the availability of men rich enough to undertake “liturgical” functions imposed directly on them as individuals was of crucial importance to city life. It was by this means, and not by the extraction of revenue via taxation, that the cities had been able to deploy for communal advantage the surpluses evident in the second century, to which Libanius looks back.

That being so, it was inevitable that the rules for liability to, or

exemption from, offices and functions should also have been of central importance. At the same time the spread of the citizenship, culminating in Caracalla's universal grant, will have given added importance to the closely parallel issues of liability to, or exemption from, *tutela* (guardianship of minors and women) and *cura* (guardianship of cases other than minors and women) under Roman civil law. Thus it was that the earliest work of Roman law written in Greek of which any substantial extracts survive, Herennius Modestinus' "Exemption from *tutela* and *cura*," written perhaps in the 220s,⁷ goes beyond its title and deals repeatedly with exemption from city liturgies, as being dependent on almost exactly the same conditions. So, for instance, Modestinus writes "Grammar teachers, sophists, rhetors, and those doctors called *periodeutai* enjoy exemption from the other *leitourgiai*, as they do from *tutela* and *cura*" (*Dig.* 27, 1, 6, 1). Shortly after, he quotes an extract from the enactments of Commodus, paraphrasing a letter of Marcus Aurelius, which gives a vivid impression both of the exercise of the imperial will and of the range of functions from which exemptions might be sought (27, 1, 6, 8):

In a manner similar to all these cases my most divine father, immediately upon assuming power, confirmed in an edict the existing privileges and exemptions, writing that philosophers, rhetors, grammar teachers, and doctors should be exempt from gymnasiarchies, *agoranomiai* [posts as market supervisor], priesthoods, providing lodgings, buying corn or oil, acting as a judge, going on an embassy, being enrolled in the army against their will, or being forced to undertake any other provincial or other service.

Modestinus is actually quoting this extract in order to prove by analogy that philosophers were exempt from *cura*, which is not explicitly mentioned. Moreover, in an extract from Antoninus Pius' letter to the *koinon* (league of cities) of Asia, which Modestinus quotes immediately above (*Dig.* 27, 1, 6, 7), philosophers are not listed among the exempt categories. Yet, in fact, from the moment when Flavius Archippus, summoned by Pliny the Younger to act as a *iudex*, began to "claim exemption as a philosopher," apparently with success, no entirely consistent view ever was evolved. The question remained a disputed area of case law, in which exemption could be asserted or denied, or restricted to functions involving personal effort, leaving financial obligations intact.⁸

But even the exemptions granted to the other learned professions

required interpretation at a local level, which Modestinus proceeds to supply:

It is necessary to be clear as to the following, that it is the man who is responsible for teaching or healing in his native city who gains this exemption from liturgies [*aleitourgēsia*]. For if a man who is from Comana acts as a sophist, doctor, or teacher in Neocaesarea, he does not benefit from *aleitourgēsia* among the Comanans. (27, 1, 6, 9)

These extracts, which involve complex issues which need not be discussed further here,⁹ are enough to illustrate, firstly, the extension of imperial law-giving beyond the sphere of Roman law proper, and its potential importance in the distribution of functions within any provincial city; and, secondly, the close analogies between *tutela* and *cura* as obligations of Roman private law, offices and burdens imposed for the benefit of a city, and services demanded by the Roman state as such.

In the nature of the case *munera* or *leitourgiai*, personal or financial obligations imposed on individuals, without being actual offices, and performed either for the city or (directly or indirectly) for the Roman state, defied all accurate categorization; the two attempts at classification which survive, by Hermogenianus (*Dig.* 50, 4, 1) and Arcadius Charisius (50, 4, 18), are both no more than ex post facto attempts to describe a complex reality with infinite local variations; and in any case they adopt different principles. Moreover, the distinction between *honores* and *munera*, though never entirely lost (see, e.g., text to n. 46 below), was often little more than a matter of form; as Callistratus put it, *honores* conferred *dignitas* (social standing) and *munera* did not (*Dig.* 50, 4, 14). The important point was that both were liable to involve expenditure—which made them, depending on the circumstances, the privilege or the burden of the upper classes. G. E. M. de Ste. Croix, in *The Class Struggle in the Ancient Greek World*, 305, has pointed to the importance of the passage of Aristotle (*Pol.* 6, 7) in which he recommends precisely the state of affairs in which public office will involve a liturgical element, so that the poor will be content to be ruled by the rich.

Thus when Libanius came in 362 to defend one Aristophanes, charged with evading his obligations as a member of the town council of Corinth, he spoke quite naturally of Aristophanes “spending on the *leitourgiai* of the so-called general [*stratēgos*, or in Latin *duovir*, of the colony].” But circumstances had profoundly changed, and Aristophanes had dropped out of his appointed rank (*taxis*) and,

fleeing the life of a city politician, had entered on that of a soldier. In fact, he had gone to Syria and gained the post of *agens in rebus* (imperial agent); thus his patron, as Libanius says, had “established him in the immunity [*adeia*] gained by a rank.”¹⁰

That brings us back to the third crucial feature of what Libanius says in the *Funeral Oration* about Julian’s measures for the cities. For one of the most important aspects of the way the Empire evolved in the third and fourth centuries is that, on top of all the other conditions of immunity available in the High Empire (see below), a whole range of official positions and ranks in the imperial service came to be regarded as conferring a lifelong immunity, as they had not done before. Since in his major work, referred to above, de Ste. Croix has claimed that the class struggle offers the most effective explanation of the fall of the Empire, it is important to stress that the divisions which thus appeared at *this* level of society at any rate were not ones of class; on the contrary, they were, in the strictest sense, ones of status. The relevant statuses were acquired by individuals in the course of their lives as a result of specific official action, bore either a genuine or a nominal relation to actual office-holding, could be subject to deprivation, and were not transferable to the next generation. What is more, we see in this period not only the emergence of a set of ranks and statuses with very specific and important social consequences, but a precise example of something brilliantly analysed some years ago by David Daube,¹¹ the formation of concepts by the creation of abstract nouns from the related verbs, or in this case adjectives. As we shall see in more detail below, the period from the second to the fourth century saw the emergence, first, of honorific appellations in adjectival form, *egregius*, *perfectissimus* (for equestrian office-holders), *clarissimus* (for senators), and then of the related nouns denoting formal statuses or ranks, *egregiatus*, *perfectissimatus*, *clarissimatus*. As was the case within so many other systems of rank or privilege in the Roman Empire, these ranks, once conceived of as such, could be petitioned for from the emperors; and, as elsewhere, the emperors found themselves simultaneously using these gradations of rank as a framework for the granting of individual exceptions and privileges, and making repeated attempts to impose new rules and limitations on their acquisition and prevent abuse. But before the significance of this linked set of changes can be grasped it is necessary to look at the cities in the early Empire and at a selection of the patterns of obligation and exemption which prevailed in them.

The Cities under the Early Empire: Obligations and Exemptions

Most of the cities on which the early Roman Empire rested were not created by Rome. Colonies (*coloniae*)—and even, in terms of their constitutions, titular colonies—of course were, as were a significant number of newly founded, or refounded, Greek cities.¹² Whether cities designated *municipia* are to be regarded as having been, in a constitutional sense, “created” by a charter (*lex*) issued from Rome, or by the emperor, must remain uncertain.¹³ The network of self-governing colonies, *municipia*, *civitates* (towns with no specific Roman status), or Greek *poleis*, some enjoying various degrees of collective immunity or freedom,¹⁴ which covered the provinces, thus exhibited a considerable variety of constitutions, from the presence or otherwise of an effective popular assembly to the size, function, and method of appointment of their council and the nature and number of their annual offices (*honores/archai*). They varied most of all in the character and distribution of duties or obligations (*munera/leitourgiai*) which were not annual offices and conferred no *dignitas* (see above), but which involved personal effort or expense, or both. None the less, as was stressed earlier (text to n. 3 above), the emperors did issue legal pronouncements which were held to be valid equally for all types of community; consonantly with this, lawyers came to use first *res publica* and later *civitas* as a term to denote any of these communities without distinction.¹⁵ In this general sense it is therefore possible for us also largely to ignore local variations, to focus on the content of imperial rule-giving and hence to think of *honores* and *munera* as having a collective history under the Empire.¹⁶ But although it is to the fact of imperial rule-giving that we owe the possibility of gaining any conception of this history, it is essential to see the entire process not as a one-sided series of pronouncements from the centre of power, but as a constant dialogue of petition and response in which interested individuals and groups sought to gain exceptions for themselves, to have an existing exemption extended to them or to have it generalised. Since an exemption for group A necessarily meant increased burdens for group B, both particular and general claims to exemption were frequently contested by the cities, verbally or in writing, before the emperor. Thus in at least two cases which happen to have survived in our evidence, the process which I have called metaphorically a “dialogue” appears as a quite literal dialogue between the emperor and interested parties. It is in this context of a dynamic interchange between the subject population and the emperor that we can look at some aspects of the wider background

of claims and counter-claims over immunities in the cities, before turning to the specific question of Roman ranks and statuses. Handlists of the conditions and categories which conferred immunity are available,¹⁷ and it will only be necessary to pick out a few salient issues.

In a world made up of innumerable local communities, each with its own citizenship, the first question which arose was what factors determined one's citizenship of, or obligations to, a particular place.¹⁸ Hadrian laid down in an edict (*edictum*) that local citizenship was created by *origo* (birth), manumission (by a citizen of the place), adlection or adoption, while the status of *incola* (non-citizen resident) arose from the establishment of *domicilium* (residence) in a place (*CJ* 10, 40, 7). *Origo* normally meant descent from a male citizen of the town (e.g., *CJ* 10, 39, 3), but there were places which retained the right to claim men's services on the basis of maternal descent;¹⁹ on these grounds, for instance, the Heordaioi in Macedonia brought a case before Caracalla to claim liturgies from the sophist Philiscus. They were apparently successful, although he held a chair of rhetoric in Athens.²⁰ But if *origo* could give rise to disputes, the problem of the definition of *incolatus* (the status of an *incola*) was insuperable. In the earlier Empire, indeed, the principle that *incolae* were liable to *munera* seems not yet to have been generally established. At any rate a well-known inscription from Aquileia shows that C. Minicius Italus, a prominent equestrian who was prefect of Egypt in 100/1, had petitioned Trajan to allow the town to impose *munera* on *incolae* there.²¹ Similarly, in the same period, the colony of Tuder is reported as having gained from its founder (Augustus) the right that *incolae* owning land in its territory should hold all *honores* there, as the colony of Fanum had subsequently "before the emperors."²² But when the principle of the liability of *incolae* became generally accepted, how was *incolatus* to be defined? The imperial replies in the *Codex Justinianus* show the emperors engaged in a constant process of restatement in answer to the claims of interested parties. Diocletian and Maximian were to lay it down that temporary residence did not make one an *incola*; nor did buying a house, even from the estate of a town councillor there (*CJ* 10, 40, 3–4). "Antoninus" (probably Caracalla) stated, in reply to one Paulinus, that the status of *incola* could be extinguished by moving one's domicile: "It is not to your disadvantage if, while you were an *incola*, you undertook some *munus*, provided that you transferred your domicile before being summoned to other *honores*" (*CJ* 10, 40, 1). This principle, however, in no way

affected the claims of one's *origo*; so, for instance, Caracalla replied to a man from Byblos who was resident in Berytus that he was liable to *munera* in both cities (*CJ* 10, 39, 1). What of students living in another city for the sake of their studies? Hadrian laid down a limit of ten years within which students could enjoy immunity in their place of study. When Severus Alexander replied, quoting this, to a man named Crispus, his words allow us to glimpse the tensions and suspicions to which the system inevitably gave rise: "Nor are those persons themselves who stay in any place for the sake of their studies regarded as having their *domicilium* there—unless after the lapse of ten years they establish residence there, as laid down by a letter of the deified Hadrian—nor is a father who frequently travels there because of a son who is a student. But if it is shown that you have other reasons for *domicilium* in the most splendid *civitas* of the Laodiceans, your deceit will not help you to avoid performing *munera*" (*CJ* 10, 40, 2). By contrast, Diocletian, replying to a group of students from Arabia at Berytus, preferred an age limit of twenty-five (10, 50, 1).

Then there were groups who were permanently established in the area of a city, but were either constitutionally or geographically marginal to it. Here too our evidence provides instances which are clearly located in space and time. A well-known inscription from Tergeste shows that a senator from there, Fabius Severus, had won a case before Antoninus Pius to establish that people from the "attributed" tribes of the Carni and Catuli could be admitted to the town council and thus share the "*munera* of the *decurionatus* [membership of a town council]." ²³ Elsewhere the division of *munera* might be at issue between towns and neighbouring large estates. ²⁴ Ulpian, however, sets out the principle that country people should be exempt, on the grounds that *munera* are the obligation of those who enjoy the delights of city life, its forum, baths, spectacles, and festivals (*Dig.* 50, 1, 27, 1). The same thought recurs in Modestinus' Greek work, *Exemption* (*Dig.* 50, 1, 35), and perhaps lies behind the claims made in the famous papyrus record of a case before the prefect of Egypt circa A.D. 250. The issue concerned the resistance by villagers to the imposition of *leitourgiai* by officials of a metropolis; reference is twice made to a ruling by Septimius Severus that villagers (*k* *ō* *mētai* or *ge* *ō* *rgoi*) were to be exempt. ²⁵

The gradual spread of imperial estates introduced a further complication. Were the contractors (*conductores*) for the rents of the estates, or the actual tenants (*coloni*), liable to the *munera* of local

towns? Or were the claims of the *fiscus* overriding? Our sources of the second and early third centuries give confusing answers. Or, on the contrary, might the local councils be obliged to *appoint* superintendents for such estates, as a liturgy, as happened in Panopolis in 298?²⁶ By A.D. 342 the principle that imperial tenancies overrode local obligations had re-emerged; as a result it was reported to Constantius that city councillors in the diocese of Oriens were actively seeking such tenancies as a means of gaining exemption.²⁷

Different problems were created by the existence, above all in the Greek East, of professions which were by their nature peripatetic, or which enjoyed a prestige which allowed successful individual practitioners to move about freely, or be attracted to the major cities. Thus, to take an obvious example, our evidence for Roman grants of exemption from taxation, liturgies, and the quartering of troops, as made to members of the association (*synodos*) of stage performers devoted to Dionysus, goes back to a pronouncement by an unnamed Roman office-holder in the late second century B.C.²⁸ Very similar privileges were granted to an association of athletes in Asia by M. Antonius as Triumvir; among other things they had asked for “exemption from military service, all liturgies, and providing lodgings.”²⁹ It is characteristic that the exemptions granted cover both the internal life of the cities and services provided directly for the Roman state. Thereafter the privileges of the associations of athletes and stage performers, as reaffirmed by successive emperors, can be traced until the Tetrarchic period.³⁰

Similar exemptions, intended to be valid everywhere, and in all categories of city, were granted under the Empire to members of various learned professions: doctors, rhetors or sophists, grammar teachers. The details, partly illustrated above (text following n. 7) and often discussed elsewhere, need not be repeated here. What is important to stress is that imperial rulings and replies show comparable claims being made by other professional groups, and being either partially or wholly rejected by the emperors. Philosophers were not included among the professions for which each city (in Asia) could grant a specific number of immunities. Their claims for exemption from financial burdens on their property were also generally rejected; but the emperors did normally accept that they should have immunity from *munera* involving personal duties.³¹ Members of other groups, however, received wholly negative answers: *hydraulae* (players on water organs) (*CJ* 10, 48, 4); *venatores* (hunters)

(10, 48, 6); *calculatores* (teachers of arithmetic) (10, 53, 4); doctors not on the list made up by the local council (10, 53, 5); poets (10, 53, 3); *geometrae* (land measurers) and teachers of law (*Frag. Vat.* 150)—unless the latter taught in Rome (*Dig.* 27, 1, 6, 12)—and teachers of *primae litterae* (elementary school) (*Dig.* 50, 4, 11, 4; 5, 2, 8). The emperors thus faced repeated attempts to have immunities extended by analogy to wider groups and (in this area) succeeded in keeping relatively clear boundaries. By contrast, as regards the favoured group, Constantine both reaffirmed their immunities and ordered that salaries should be paid to them “so that they may the more easily train many in liberal studies and the above-mentioned skills” (*CTh* 12, 3, 3; cf. 10, 53, 6).

As regards occupations of more obvious and literal utility, a rather different range of issues arose. It also made some difference whether their functions were purely internal to the cities, involved supplies or services for Rome, or were performed in Rome itself (the latter category will not be considered here). In all cases it was a question of ensuring that groups which had been granted exemptions in respect of useful functions really were devoting their resources to those functions. As regards the purely local aspect, our best evidence is the inscription listing all the names of those registered as *centonarii*, or firemen, at Solva in Noricum in 205.³² The preceding letter by Severus and Caracalla, probably addressed to the governor of the province, is worth quoting in full; for it provides the perfect illustration of the fact that the imperial rulings of this period, of a type familiar from the *Digest*, could in fact affect even the internal arrangements of small towns in the western provinces:

[Imp(erator) Caes(ar) L(ucius) Sept(imius) Severus] Pert(inax) P(ius) [Aug(ustus) and I]mp(erator) Caes(ar) M(arcus) Aur(elius) Antoninus Pius Aug(ustus) [to ... ?]. The privileges [*beneficia*] which [on the orders] of the Senate or any emperor have been granted to the associations [*collegia*] of *centonarii* [firemen] ought not to be rashly revoked. [But as for what the laws] enjoin, let it be observed, and let those who you state [are enjoying] their wealth without burden be compelled [to undertake public] obligations [*publica munera*]; nor should the privilege of the associations benefit [either those who] do not practise [that profession] or those who possess resources which are greater than the stated limit. The [legal] remedy is [therefore] to be applied in relation to [such people], rather than reducing the [fixed] number on their account. Otherwise let [all the others enjoy]

an exemption [*vacatio*] which it is not appropriate to delete from the privileges of the associations.

There followed a list of the ninety-three members of the *collegium*, or association, of *centonarii*, as constituted in the *res publica* of the Solvenses in 205. Both the general principle and the particular application of the rule are thus quite clear. Those who possessed the resources adequate for the performance of *munera publica* must *either* undertake those obligations *or*, if they wished to enjoy the exemptions granted to the *collegium*, must genuinely practise the relevant trade or profession. What is more, this exemption was not to apply beyond a stated limit (*praefinitus modus*) of wealth. This principle closely resembles that which we find in the *Digest*, in an extract from Callistratus' *de cognitionibus*, written in the Severan period: "Immunity is granted to certain *collegia* ... but it is not given to all those who are co-opted into those associations, but only on the condition that they are [genuine] practitioners. But it has often been noted that those who [subsequently?] increase their resources and are capable of undertaking the *munera* of the cities may not enjoy the privileges granted to the poorer men who are members of the associations" (*Dig.* 50, 6, 6, 12).

So far as can be seen, these rulings represent a general and (in intention) universally applicable intervention in the system of obligations and exemptions within the cities, without there being any direct interest on the part of the Empire as a governing superstructure. The associations of (for instance) firemen were therefore regarded as performing services to their cities which were mutually exclusive alternatives to the general *munera publica*.

Different considerations applied to the exemptions enjoyed by shipowners (*navicularii*) and traders (*negotiatores*), for it is clear that these only applied, in the High Empire, to those who were engaged in bringing supplies to Rome: "[T]he deified Hadrian stated in a rescript that those enjoy the immunity associated with seagoing ships who are serving the *annona* [food supply] of the City" (*Dig.* 50, 6, 6, 5; cf. 50, 5, 2, 3). Here too the question arose of people who either invested a small proportion of their wealth in ships with the express purpose of avoiding *munera*, or, on becoming wealthier, kept the same investment in ships in absolute terms (*Dig.* 50, 6, 1; 6, 6, 8–9). A local application of these general principles is visible in a letter written in Greek by Marcus Aurelius and Lucius Verus, evidently to a Greek city: "There have been others who on the excuse of belonging to the shipowners or

to the traders in corn or oil for the market of Rome, who are immune, have claimed to escape *leitourgiai*, although they neither sailed themselves nor had the majority of their property in shipowning or trade. Let their immunity be removed” (Dig. 50, 6, 6, 6).

The principle of the exemption of shipowners was still maintained in the fourth century; Constantine confirmed this in writing to the shipowners of the diocese Oriens in 334, mentioning Constantinople and referring specifically to the *munera*, *honores*, and *tutela* mentioned before (CTh 13, 5, 7). Without pursuing the details, it is important to emphasize that claims to exemptions on the one hand, and on the other the determination on the part of the emperors that, *as regards those with sufficient wealth*, that wealth should be devoted *either* to specific services *or* to *munera publica*, forms the background to some aspects of the creation of the so-called caste system in the fourth century.³³ What the emperors of this period were attempting to do was to reinforce the principle just mentioned, that wealth should be devoted *either* to specific services *or* to *munera publica*, by attaching the obligation to fulfil the functions of a shipper specifically to any *property* owned by a shipowner, whether it passed to a son or to anyone else. Hence there emerged the rule that the property of a shipowner should not be alienated to avoid fulfilling the relevant functions—and that, *if it were*, the obligation should fall on the purchaser (CTh 13, 6, 1); or (a rule promulgated in the same year, 326) that if a shipowner died intestate and without heir, his property should go to the association (*corpus*) of shipowners (CJ 6, 62, 1). Even someone of a “higher dignity” (see below), if he owned a *property* which was liable to the functions of a shipowner, was liable to the obligations in respect of that property (CTh 13, 5, 3).

The objective of retaining *resources* for particular functions, above all the *munera* of the cities, quickly emerged when Constantine in 313 defined a new category as performing essential services for the state, namely the Christian clergy, and used immunity from *munera* as their reward. Clerics were to devote their services to the worship of God and to receive the due reward for their labours; hence “I wish them to be constituted once and for all as exempt [*aleitourgêtous*] from all *leitourgiai*.”³⁴ Once again a vast case law on the limits and conditions of clerical immunity quickly built up. All that needs to be noted here is that within a few years it proved necessary to *prevent* decurions (town councillors), or their sons, or simply persons of adequate wealth for undergoing public *munera*, from being enrolled as clerics (CTh 16,

2, 3); to impose limits and conditions on ordination; and, “if in doubt as between *civitas* [the relevant city] and *clerici*,” to prefer the former. The emperors were in this case, as in so many others, in a self-contradictory posture, wishing to divide resources between functions which were held to be essential but to be mutually exclusive, and thus limiting with one hand the very privilege which they had given with the other. So Constantius in February 361 proclaimed that “our state” (*res publica nostra*) was sustained more by the observance of the Christian religion than by secular efforts, and so justified clerical immunity (CTh 16, 2, 16); but in August of the same year he issued rules for the ordination of clerics, involving the reservation for the town council of part of the property of newly appointed presbyters, deacons and sub-deacons (CTh 12, 1, 49). That was merely an extreme instance of the process by which those felt to be of service to the state were offered exemptions on which the state itself had constantly to place limits.

Service to the State, Citizenship, and Exemption

As we have seen above (text to n. 28), even under the Republic Rome might grant or confirm a general exemption from liturgies to favoured groups. It might also do so for named individuals who had performed exceptional services, as in the decree of the senate of 78 B.C. rewarding three Greek ship captains, Asclepiades of Clazomenae, Polystratus of Carystus, and Meniscus of Miletus. The Senate decreed, among other things, that as a reward for their services in the “Italian War,” they and their descendants should be exempt from liturgies (*aleitourgētoi*) in their native cities, and free of tribute.³⁵ The grant was thus both a *beneficium* (favour) conferred by the sovereign power and a direct intervention in the functioning of the cities concerned. Some forty years later another Greek *nauarchus* (sea captain), Seleucus of Rhodus, received comparable privileges, with the addition of the Roman citizenship, for himself and his descendants, as a reward for his activities in the Triumviral wars (the privileges he gained are thus relevant to those for ordinary veterans [see following section]). In the surviving text of the inscription the references to citizenship and freedom from tribute are fully preserved, while that to freedom from all liturgies is largely restored.³⁶ What is clear, however, is that any such attendant privileges were listed separately, and therefore were not seen as automatic consequences of the Roman citizenship itself. This distinction was to be of crucial importance for the evolution of the Empire. The fact that it was with the coming of monarchy that the

citizenship began to be widely extended to provincials is one aspect of the use of republican institutions, ranks, and privileges by the emperors as the material of patronage.³⁷ The consequences of individual grants of citizenship to richer provincials, and hence their descendants, might have been disastrous for the working of *honores* and *munera* in the provincial cities. For it might well have been assumed or claimed that the Roman citizenship exempted a man from his local obligations. In fact, it is quite clear that it was so argued, and Augustus' third edict from Cyrene is an emphatic answer to just such claims:³⁸

If any persons from the province of Cyrene are honoured with the [Roman] citizenship, I declare that these must none the less undertake liturgies in their turn within the community of the Greeks, with the exception of those to whom, in accordance with a law or decree of the Senate, exemption from tribute [*aneisphoria*] has been granted along with citizenship by the decision of my father or myself. Furthermore it is my pleasure that those persons to whom exemption from tribute has been given shall be immune [*ateleis*] as regards those properties which they then owned, but as regards subsequent acquisitions they should pay whatever is due.

Once again we see here an implicit rather than explicit correspondence between different forms of exemption, from Roman tribute and from local liturgies. But the key point is the clear refutation of the idea that either or both of these exemptions would follow necessarily on the acquisition of the Roman citizenship. The principle of a dual citizenship (or Cicero's notion that each man has two *patriae*, his home town and Rome)³⁹ was thus conclusively established, and was to form the social basis of the running of the Empire for three centuries. The spread of the citizenship was to provide a rich harvest of rules and exceptions, petitions and responses, as regards, for instance, the law of inheritance or *patria potestas* (the Roman father's legal authority over his children).⁴⁰ But it does not seem ever to have been claimed subsequently that the Roman citizenship affected a man's obligations to his native city. Given the wide extension of individual grants, the existence of the privilege of *latinitas* by which the annual magistrates (or the whole council) of a city automatically became citizens, and above all the evolution in the first century of a system by which discharged auxiliaries were granted the citizenship, the maintenance of the principle of dual citizenship was of fundamental importance.

Veterans and Immunity

But was it in fact true that each of several thousand discharged auxiliaries returning home (or settling elsewhere) each year with a grant of the citizenship was liable to local liturgies? Certainly no such exemption is recorded among the *beneficia* (grants) listed in the *diplomata* (certificates of privileges) given to discharged auxiliaries.⁴¹ But some veterans certainly benefitted from various immunities, and a badly damaged papyrus of the first century records that a veteran recited (presumably in court) an edict of Octavian as Triumvir: he had granted veterans immunity (from tribute?) for all their property, the citizenship for themselves and their families, exemption from further military service and from performing *munera publica*, as well as, among other privileges, that of being neither an ambassador (i.e., one sent by a city), nor *procurator* (?) (financial agent), nor contractor for collecting the tribute.⁴² Another veteran, from the *legio X Fretensis*, recorded in A.D. 94 that he had copied from a bronze tablet at the great Caesareum in Alexandria an edict by which Domitian in 88/9 had declared that all veterans and their families were immune from indirect taxes (*vectigalia* and *portoria*) and (probably) that their properties were immune from receiving official travellers.⁴³ These wide-ranging grants are not fully confirmed by other evidence; but both documents show that, here as elsewhere, it was up to the interested party to produce evidence for privileges or exemptions which he claimed. The exemption from *munera publica* does, however, reappear on a papyrus of 172, in which a veteran settled in the Arsinoite Nome complains that liturgies have been imposed on him in spite of the five-year relief (*anapausis*) granted to them.⁴⁴ Other evidence shows that this particular veteran had served in the cohorts I Apamenorum, and hence was an ex-auxiliary. But if there was indeed a general five-year exemption for them, this is the only place where we hear of it. Otherwise our evidence from before the Tetrarchy speaks of “veterans,” without distinction between legionaries and auxiliaries, and exhibits once again a complex case law which itself reflects the social pressures on a veteran settled among other persons all too eager to share the burden of *munera* with him. They enjoyed an immunity, without (in this evidence) any stated time limit, provided they had served at least twenty years. Those honourably discharged after between five and nineteen years’ service earned, says Modestinus, a proportional period of relief from *tutela* (guardianship), as they did from other *politikai leitourgiai* (city liturgies).⁴⁵ However, those obligations, such as road repair, which fell on owners of

property as such, could not be avoided (*Dig.* 49, 18, 4). The immunity applied in a community where a veteran was an *incola* and was not affected by his voluntarily undertaking an *honor* or *munus* (49, 18, 2, *pr.*). But if a veteran allowed himself to be enrolled in the town council (*ordo*), then he was liable for further *munera* (49, 18, 5, 2). Even here there was a way out, as Severus Alexander said in a reply to one Felicianus: “Veterans, who when they could have protected themselves by the immunity granted to them, have preferred to be made *decuriones* [members of a city council] in their home towns, cannot return to the exemption [*excusatio*] which they have abandoned, unless by a formal rule and agreement for the preservation of their immunity they have accepted [only] a part of that burden” (*CJ* 10, 44, 1). Moreover, as Caracalla replied to one Verinus, those ignominiously discharged were debarred from *honores* but not excused from *munera civilia* (city liturgies) (*CJ* 10, 55, 1). Finally, it did need to be stated that the sons of veterans enjoyed no immunity.⁴⁶ It is an important characteristic of the early Empire that, in spite of the obvious presence of a variety of ranks and statuses, the tendencies to inheritance of status, or even individual privileges, were very strictly limited.

From the Tetrarchic period onwards various changes occur in the values attached to the status of veteran, or the situation of being a veteran’s son. In principle veterans continued to enjoy immunity, subject to a full period of service; so Diocletian and Maximian replied to a veteran named Carus (*CJ* 10, 55, 2). But in another rescript, to a veteran named Philopator, they refer to the principle that this immunity, after twenty years’ service, was confined to soldiers from legions or *vexillationes* (legionary detachments): “Hence, since you record that you have served in a cohort [of auxiliaries] you understand that it is pointless for you to wish to demand exemption” (10, 55, 3). Yet Valentinian and Valens were later to note that Diocletian himself had made an exception to this rule and had granted immunity to the *cohortales* (soldiers in auxiliary units) of Syria.⁴⁷ It is not clear whether it was only to those *cohortales* that Constantine referred when after his victory over Licinius he cancelled the municipal obligations to which “the tyrant” had “most wickedly” exposed them (*CTh* 7, 4, 1). Enough has been said to illustrate the significance of this form of reward for service, and the delicacy (and, for us, obscurity) of the borderlines surrounding it. If Constantine was in any doubt on the point, a group of veterans brought it home to him in a dialogue preserved in the *Codes* (*CTh* 7, 20, 2; *CJ* 12, 46, 1).

The veterans shouted all together: “Constantine Augustus, what is the point of our having become veterans if we have no *indulgentia*.”

Constantine Augustus said: “I ought to be increasing the good fortune of my fellow-veterans more and more, rather than decreasing it.”

The veteran Victorinus said: “Let us not be compelled to undertake *munera* or burdens in any place.”

Constantine concluded the dialogue with a general confirmation of the veterans’ privileges and a reference to the sons of veterans. However, in this area too a shift of attitude had taken place whereby, *if* they had the required property, the sons of veterans were compelled *either* to accept the obligations of a town councillor *or* (if physically fit) to join the army.⁴⁸ Once again, the nature of the system, in regarding the two desirable forms of service as mutually incompatible, involved the emperors in unresolvable contradictions. Diocletian and Maximian had already expressed the idea of the sons of decurions (and others) fraudulently joining the army to avoid *civilia munera* (city liturgies) (*CJ* 12, 33, 2). By 319 Constantine was requiring men of curial origin (i.e., whose fathers sat on the city council, *curia*) who had been accepted into the army, or into provincial *officia* (the governor’s staff), to be returned to their city council. Thereafter the provision was repeated with variations,⁴⁹ until Julian, going to some extent against his usual principles, allowed ten years’ service to confer immunity.⁵⁰ Thus the very privilege which, as the veterans had shouted to Constantine, was one of the principal *rewards* of military service became a reason for *preventing* men from entering the army, even in a period of intense military activity on many fronts. Yet there are indications that men were also undergoing a purely nominal military service (*CTh* 12, 1, 40), gaining by influence a supposedly honourable discharge after a short time (12, 1, 43), or finding their way on to the staffs of provincial governors. The relation of civilian service to city obligations presents an even more complex evolution, with even more drastic consequences, than that of military service.

Ranks, Dignities, and Immunity in the First Three Centuries

Like the spread of the citizenship, the rise of men from the provincial cities into equestrian posts and the Senate can be regarded as a fundamental aspect of the early Empire. It can also be assumed without question that under the principle of “absence on public business” (see *Dig.* 4, 6, 32–33), those actually in post at any time will have been excused *honores* and *munera* in their home towns.⁵¹ But,

like the citizenship, attachment to one of the two higher *ordines* (the senatorial and equestrian orders) might have carried with it the privilege of life-time exemption, perhaps even extending to the next generation or to successive generations. That it did not in fact do so is one of various indications that statuses under the earlier Empire were more limited in their consequences and far less easily transferable to descendants than we often assume.

Let us take equestrian posts first, confining ourselves to the pre-Tetrarchic period. As mentioned below (n. 51), it is only in the more marginal cases of “absence on public business” that immunity needed actually to be stated; so Paulus writes, “The *comites* [companions] of governors and proconsuls and *procuratores* [financial officials] of Caesar are exempt from *munera* and *honores* and *tutela*” (*Dig.* 50, 5, 12, 1). For the procurators and other officials themselves it did not need to be explicitly stated. But what permanent privilege, if any, was conferred by either membership in the equestrian order (or nominal possession of a “public horse,” if that is a narrower category) or the fact of *having held* equestrian military or civilian posts? No explicit rule is stated anywhere until Carus, Carinus, and Numerianus write in 282, with an unhelpful delicacy and ambiguity: “Those also, who are proved to have acted as procurators of our possessions, ought to perform *munera civilia* which are appropriate to their dignity” (*CJ* 10, 48, 1). The implication seems clearly to be that there was at that time no general rule exempting former procurators from city *munera*. Much more significant, however, is the fact that the career inscriptions of scores of men of equestrian rank from the High Empire combine city offices, including duovirates and priesthoods, and *munera* such as embassies, with equestrian posts in the imperial service.⁵² The issue might seem to be decided in favour of non-exemption but for the possibility that (as Eric Birley argued in a classic article) the city posts normally came first in order of time, and that hence equestrian military officers as a group can be seen as mature ex-holders of municipal posts.⁵³ Moreover, as in the case of veterans (text following n. 45 above), we have to allow for voluntary acceptance of *honores* or *munera*; so individual cases of the performance of these functions cannot strictly prove that there was no legal exemption. But a considerable volume of evidence, especially from the Greek East,⁵⁴ shows that former equestrian office-holders held priesthoods and presidencies of games, spent large sums in their native cities, and in some cases held actual city magistracies; and this strongly suggests the absence not only of a legal exemption but (more important) of any

general conception of the incompatibility of the two spheres of activity. Moreover, if the acceptance of city or provincial functions had involved a temporary renunciation of a standing exemption, it would be reasonable to expect that some honorific inscriptions would at least occasionally mention this. The provisional conclusion must be that in the High Empire there was no concept of permanent exemption from city functions either for the possessors of equestrian status (however defined) or for the ex-holders of equestrian military or civilian offices. We may note the contrast between this and the exemption from “plebeian” punishments and forms of judicial torture reported to have been granted by Marcus Aurelius to the sons and grandsons of *eminentissimi* and *perfectissimi*—honorific equestrian statuses to be discussed below.⁵⁵

Even in the case of senators, the exemptions attested from the early Empire are strikingly specific and limited. This fact must of course be seen in the light of the restricted number of senators (in principle 600) and the fact that it took time for senatorial status to extend into the upper reaches of provincial society (or rather that of some provinces), in the course of the first three centuries. None the less, it is significant that it had to be stated that a *legatus legionis* (a commander of a legion) was exempt from *tutela* while in office (*Frag. Vat.* 222) and therefore by implication was not exempt *qua* senator as such. Senators were indeed liable, though not while holding office in Rome (*Frag. Vat.* 146), but even then only within the 200th milestone from Rome (*Frag. Vat.* 147)—or the 100th according to Marcianus (*Dig.* 27, 1, 21, 3). This last point, of course, relates to the presumption, which began to be unrealistic in the third century, that senators were in principle resident in Rome; by analogy it may well have been held to affect liability to public functions in provincial cities. Moreover, personal status did certainly affect liability to *tutela*; precisely this is shown by the fact that Modestinus gives as evidence for the fact that *dignitas* did not confer exemption a rescript of Marcus Aurelius and Commodus stating that a senator was obliged to accept the *tutela* of (the children of) persons of senatorial status, but of lower rank within the Senate. Modestinus goes on to say that a person, when made a senator, was released from existing *tutelae* unless the children concerned were of senatorial status (*Dig.* 27, 1, 15, 2–3). Similar presumptions might well have affected liability to the public *munera* of a senator’s provincial or Italian home town. But it is highly relevant that this last point is presented simply as a personal *opinion*, on the part of a jurist writing in the early third century. It is essential to remember that what we

read in the *Digest* is not the remains of a “code,” but of a number of academic legal works, expressing a variety of points of view.

The same is true of the other juristic views preserved in the *Digest* concerning the relation of a senator to his *patria*.⁵⁶ These are by no means identical and also show every sign of being personal reflections, or rationalizations, in the face of an evolving reality. So Paulus writes (*Dig.* 1, 9, 11):

Senators, although they seem to have their *domicilium* in the City [i.e., Rome], none the less are understood to have *domicilium* also in the place of their origin, since their *dignitas* seems to have conferred an addition rather than a change of domicile.

The *Sententiae Pauli* expresses a much more general principle and is the only text to relate the question of senatorial domicile to the second, third, and fourth generations (*Dig.* 50, 1, 22, 5):

Senators and their sons and daughters, wherever born, and likewise their grandsons, [granddaughters], and great-grandsons and great-granddaughters by a son are removed from their [legal] *origo*, even though they retain municipal *dignitas*.

Finally, Hermogenianus, writing in the Tetrarchic period, puts it as follows (*Dig.* 50, 1, 23 *pr.*):

A man ceases to be a *municeps* [citizen of a *municipium*] on gaining senatorial *dignitas*, as far as regards *munera*; but as regards *honor* [*honores?*] he is regarded as retaining his *origo*.

It will be obvious at once how frail a basis these passages are for any conception of a long-established general principle that senators were legally exempt from *honores* and *munera* in their home towns. By contrast, a surprising volume of epigraphic evidence from the first three centuries shows senators in fact holding regular *honores* and priesthoods, or (in a few cases) being town councillors in their native cities (or others), as well as (less surprisingly) spending large sums by way of munificence.⁵⁷ Once again, this cannot prove that a legal exemption was not available, for a sense of obligation to a man's home city might well have prevailed. In this connection it is worth recalling a reply given by Diocletian and Maximian: “A man who enjoys exemption [*vacatio*] from public *munera*, if he freely undertakes any *honor* other than the decurionate, does not, on account of the fact he has been influenced by the needs of his native city, or through eagerness for *gloria* has conceded his public rights, lose the relevant privilege” (*CJ* 10, 44, 2). But here, too, as with equestrians, the

absence of any statement on any of the inscriptions to the effect that these senators were not availing themselves of a recognized exemption must create a presumption that none such was known.

Whatever may have been the normal rule in relation to personal *honores* and *munera*, there is no clear evidence that senators enjoyed a general exemption from obligations on property as such. In this connection a well-attested provision, laid down by a decree of the Senate of uncertain date, and attested by inscriptions from three different places, ordained that senators were exempt from the *munus* of receiving official travellers against their will. These inscriptions from Paros (in both Latin and Greek), from Phrygia, and from Satala in Lydia, are all copies of a single letter to an unknown addressee written by Severus and Caracalla in Rome at the end of May 204; the emperors firmly remind the addressee of the provisions of the decree of the senate.⁵⁸ This exemption itself seems to represent a specific exception to the general rule stated by Ulpian, that the *munus* of receiving official travellers (*hospitium*) was one which lay on properties as such, without regard to the person of the owner.⁵⁹ This therefore represents a rather specific area of obligation/exemption, with no necessary implications for the wider question of civic obligations. But the fact that disputes could arise and that the personal rights even of senators could be in need of protection is clear from the fact that the letter of Severus and Caracalla, shorn of its original address (perhaps to a provincial governor) was found worth inscribing by different people (presumably senators or their agents) resident in several different places. We may compare the letter of Valerian and Gallienus to a senator from Smyrna named Iulius Apellas, evidently in reply to complaints from him about some infringement by the local magistrates of his rights in relation to his property there. Almost certainly the issue at stake here too is the reception of *hospites* (official travellers).⁶⁰ A century later the issue was still alive: in 361 Constantius wrote to the Senate: "If it is against the will of our senators, let no one stay in their houses by the right of *hospitium*" (*CTh* 7, 8, 1). If this very specific right had to be repeatedly re-stated, we can be reasonably sure, at least, that no general rule exempted senatorial properties as such from local obligations.

The roles performed by senators in their native cities in the first three centuries, and their need to seek imperial protection for the one exemption which is clearly attested, at least from the early third century onwards, illustrate an important truth about the Roman

Empire. It is a clear and accepted fact that the Augustan period saw a number of concrete steps to define the senatorial and equestrian orders, partly in terms of a property qualification; to devise for them forms of social and ceremonial precedence, for instance, in the elections and public shows at Rome; and to introduce, in the case of the Senate, a certain element of heritability of status.⁶¹ This meant, strictly speaking, no more than that sons of senators had the automatic right to assume the *latus clavus* (broad purple stripe worn on the tunic), while their actual membership of the Senate was still dependent on their gaining the quaestorship. None the less, it was a step towards the creation of a senatorial order (*senatorius ordo*). In consonance with this, for instance, the Augustan marriage laws forbade a senator, or his descendants for three generations, to marry a freedwoman; and the decree of the senate of A.D. 19 from Larinum forbids activity in the arena to the descendants, down to the third generation, of both senators and equestrians (defined by the right to sit in the equestrian seats).⁶² But these steps were not followed either by a consistent tendency for the two orders to become hereditary over long periods of time or by further steps marking off a distinctive status or distinctive privileges. Even in the crucial area of obligations in the cities, while “absence on public business” necessarily gave exemption to senators and equestrians, and senators were also held in some sense to have either their main, or an alternative, domicile in Rome, men of both orders did in fact hold *honores* and undertake *munera*. Alone of our legal sources the *Sententiae Pauli*, a text of unknown authorship written some time in the third century, categorically affirms that senators and their descendants to the fourth generation were removed from their native *origo*.

Rather than further legal steps to define the two orders, what actually happened was a gradual process by which honorific appellations came to be attached, never with complete consistency, to equestrians holding posts of differing ranks and to senators as such. Following that, the adjectives used gave rise to the related nouns, and simultaneously to the concept that the nouns denoted statuses to which legal privileges might be attributed.

The sketch of the evolution of the equestrian status appellations which follows is not based on a rigorous re-examination of all the sources—which themselves are the product of the chances of survival. For the earlier period in particular an impressionistic selection of the evidence, based on the work of others, will suffice.⁶³ As regards

equestrians, two different scales of honorific appellations appear. One, derived from the level of pay given to different ranks, runs *sexagenarius*, *centenarius*, *ducenarius*, and (very rarely) *trecenarius* (denoting a payment of 60,000, 100,000, 200,000, and 300,000 sesterces per annum, respectively).⁶⁴ The most commonly attested is *ducenarius*, which also gave rise to related nominal forms or phrases *procuratorem principis ducenaria perfunctum* (a procurator of the princeps who had filled a ducenariate post; Apuleius, *Met.* 7, 6); and *ad ducenariae procurationis splendorem* (to the rank of a ducenariate procurator; *AE* 1962, 183, *codicilli* [letters of appointment] of Marcus Aurelius). In the third century *ducenarius* functions also as a noun to designate a high-ranking procurator (e.g., Eusebius, *HE* 7, 30, 8). Perhaps more significant, *ex ducenariis* (Greek *apo doukēnari* *ὁ* *n* [i.e., former *ducenarii*]) appears as a rank or status of former holders of the office (e.g., *AE* 1966, 446).

These terms, as we shall see in the following section, occasionally reappear in the Constantinian period along with those derived from the other scale of status appellations which evolved in the High Empire. This ran as follows:

1. *Eminentissimus* (*exoch* *ὁ* *tatos* in Greek), apparently reserved for praetorian prefects, and some prefects of the *vigiles* (fire brigades) in the third century, is found in use from Marcus Aurelius (*CIL* IX, 2438) until the middle of Constantine's reign (*CTh* 7, 20, 2, A.D. 320?).

2. *Perfectissimus* (*diasēmotatos*) is used of other high equestrian officials. According to Diocletian and Maximian (*CJ* 9, 41, 11; see text to n. 55 above), it was these two groups whose descendants Marcus Aurelius wished to protect from "plebeian" punishments and tortures. In documents, however, *perfectissimus* is not attested until 201 (*ILS* 1346), used of a prefect of the *annona* (the food supply of the city of Rome). In the course of the third century its use extended to equestrian governors and procurators.⁶⁵

3. *Egregius*, in the form of its (eventual) Greek equivalent, *kratistos*, is used in the later first century of prefects of Egypt (*P. Oxy.* XLV 3240; XLVII 3335) and in the early second of an Idios Logos (a high financial official) (*P. Oxy.* XLVI 3275), and even of a proconsul of Asia (*SEG* XXVIII, 1566). But after the appearance of the other, more honorific, terms, it settled into use for the lower equestrian officials; it is used in this way under Marcus Aurelius (e.g., *ILS* 6885) and thereafter continues through the third century;⁶⁶ its last known uses come in the 320s, both in legal sources (*CTh* 6, 22, 1, A.D. 325/6), and in

Legal sources reveal, furthermore, that by the early fourth century nouns denoting statuses had been derived from both *perfectissimus* and *egregius*. These two nouns, *perfectissimatus* and *egregiatus*, are both attested for the first time in legal sources in the scattered fragments of an extensive imperial reply addressed “to the Bithynians” on 21 July 317. The *Codes* attribute it to Constantine, but it must in fact have been issued by Licinius. All the fragments concern the conditions for admission to higher *dignitates*, and some involve the consequent release from city *munera* (see the following section).

Before we examine the significance of this, it is necessary to look at the parallel evolution in senatorial status appellations. The term *clarissimus* (in Greek *lamprotatos*), which could be used in a variety of contexts, came to be a characteristic appellation for a senator about the beginning of the second century (*TLL*, s.v. “clarus” III); *clarissimus vir*, regularly abbreviated as *c.v.*, was soon followed by *clarissimus puer* (boy) and *clarissima femina/puella* (woman/girl). The corresponding notion of a specific rank or dignity also evolved. An inscription from Ureu in Africa, apparently of the early third century, honours a *c(larissimus) p(uer)*, whose father was an *e(gregius) v(ir)* and who is described as “having gained the *clarissima dignitas*.”⁶⁸ The same *clarissima dignitas*, Ulpian states, is conferred by senatorial husbands on their wives (*Dig.* 1, 9, 8). Here too, therefore, there evolved the concept of a status or quality, which could be referred to by a nominal phrase. But, perhaps surprisingly, the final shift from *clarissimus* and *clarissima dignitas* to the abstract noun *clarissimatus* was relatively slow in coming. When Constantius, writing from Milan in 354, replied to the town council of Caesena, he still used *clarissima dignitas*: “[B]ut if anyone has acquired the insignia of the *clarissima dignitas*, and if he has not been able to obtain confirmation of the gift granted to him by producing *codicilli* [the letter of appointment], he shall lose the fruit of the *dignitas* he sought” (*CTh* 12, 1, 42).

Clarissimatus is perhaps less well attested precisely because it did not normally belong in the most contentious area, namely the borderline between city and imperial functions, but at a higher level. It first appears in legal sources in the 370s,⁶⁹ but Ammianus, writing in the 390s, looks back to the reign of Constantius (337–61), when *duces* (military commanders) were (as they should be) mere *perfectissimi*, and did not (as was known to happen later) gain the *clarissimatus* (Ammianus, 21, 16, 2).

It was the two lower “equestrian” grades, the *perfectissimatus* which lasted through the fourth century, and the *egregiatus*, which disappeared almost as soon as attested in legal sources, which stood immediately above the decurionate (i.e., the status of a city councillor, a *decurio*), with its heavy attendant burdens, and afforded a possible escape route from it. But to say that is to assume precisely that change which had evidently happened before 317. For, as we saw, in the first three centuries there is no clear proof either that equestrians as such, or former holders of equestrian posts, enjoyed any general exemption from municipal burdens. At some point, therefore, not only had the two abstract nouns, *perfectissimatus* and *egregiatus*, come into use, but the idea had become accepted that possession of either of these two qualities entitled a man to enjoy precisely that exemption which had previously been conferred only by being “absent on public business” in specific posts. This shift in the conditions for exemption, from actual temporary functions to a formal and permanent status, was a crucial one, with immense consequences. It would be of considerable significance if we could identify some evidence which would even illustrate, if not explain, the process of transition. As it happens, we have such evidence, in the form of a papyrus which has long been known, but seems never to have been fully re-examined since its first publication in 1912.⁷⁰ It will be worth-while to present a translation of the bulk of the text, with some comments on the essential points.⁷¹

P. Oxy. IX 1204: Aurelius Plutarchus

In the consulships of our lords the Emperors Diocletian for the seventh and Maximian for the sixth time, *Augusti* [A.D. 299], to Aurelius Zenagenes, *stratēgos* of the Oxyrhynchite nome, from Aurelius Plutarchus, also called Atactus, *kratistos* [*egregius*] and however he is styled. Since I was nominated to the *dekapr* *ō* *teia* by Aurelius Demetrianus, *dekapr* *ō* *tēs*, improperly and in contravention of all the laws, I made an appeal through the agency of my father, Aurelius Sarapammon, also called Dionysius and however he is styled, on the grounds that at that time I was in the Small Oasis for the discharge [*eksphungeusis*] of the soldiers stationed there, on the orders of my lord the *diasēmotatos* [*perfectissimus*] prefect of Egypt, Aelius Publius, and having done all that was required for the appeal, I fled to my lord the *diasēmotatos* *katholikos* [*perfectissimus rationalis*], Pomponius Domnus, and petitioned him via memoranda, setting these same facts before him. Consequently his Greatness ordered me through his judgement to give notice to the aforesaid person. The relevant part of

the judgement runs as follows:

In the consulships of our lords the Emperors Diocletian for the seventh time and Maximian for the sixth time, *Augusti*, on the 14th day before the Kalends of September [19 August 299], in Alexandria in the *sekreton* [private office]: When Plutarchus, *kratistos* [*egregius*], had been called in, Isidorus said: “Plutarchus, *kratistos*, who stands before your Virtue, attempting to find relief from city liturgies [*politikai leitourgiai*], previously petitioned the divine Fortune of our masters, the *Augusti* and *Caesares*, to grant him the dignity of the *kratisteia* [*egregiatus*], and their divine Fortune assented and granted it to him, and it is now in him. He subsequently continued to serve your office, my Lord, and the orders of you great ones. But already, when he was spending time at the Small Oasis, after my lord and your brother, Publius, the *diasēmotatos* [*perfectissimus*] governor, had sent him to discharge the soldiers, a certain Demetrianus, an Oxyrhynchite of the same city, made an attack on him and dared to nominate him to the *dekapr* *ō* *teia*, being unaware that he had gained a higher dignity [*axi* *ō* *ma*], which probably [is *ō* s] relieves him of city liturgies....”

The various parties to the transaction are clear. There are the emperors, who can grant the rank described in Greek by the abstract noun *kratisteia*. Then there is the prefect of Egypt, Aelius Publius, and the *rationalis* (chief financial official) of Egypt, Pomponius Domnus, both given the honorific appellation *perfectissimus*; Domnus receives the petition and hears the case in Alexandria. The town of Oxyrhynchus is seen attempting to discharge the tax-gathering functions laid on it, and other Egyptian towns, by the reform of Septimius Severus a century earlier.⁷² One of the existing *dekapr* *ō* *toi*, or committee of ten wealthy men with the obligation of collecting (and guaranteeing) the taxes, makes the nomination which is the subject of the appeal. Finally, there is Aurelius Plutarchus himself,

who had already conceived the notion that the dignity (*axi* *ō* *ma*) of the *kratisteia/egregiatus* would serve to relieve him of city liturgies. This idea, which he had successfully brought to fruition (possibly during Diocletian's campaigns and journeys in Egypt in 297–98),⁷³ was a personal initiative with a clearly defined aim. It is noticeable that his actual service to the administration of Egypt is emphasized but seems not to be regarded as a sufficient condition in itself either for exemption from the *dekapr* *ō* *teia*, or for the dignity of the *kratisteia/egregiatus*. That is gained independently by a petition, notionally directed to all four *Augusti* and *Caesares*. The favourable

response to it confers an abstract quality or status which can be conceived of as inhering “in” him and which confers immunity. Or does it? Plutarchus’ advocate, Isidorus, strikes an unexpected note of uncertainty at the end of his submission. It would be invaluable if we could be sure what degree of certainty, uncertainty, suggestion, or persuasion is implied by the word is *ὀ* s (perhaps? probably? surely? fairly? reasonably?)—“the *kratisteia/egregiatus* which is *ὀ* s relieves him of city liturgies.”

The importance of *P. Oxy.* 1204 should now be clear. For it is, firstly, the earliest example so far known of the use of an abstract noun formed from *kratistos* = *egregius*, and in fact the earliest such formation attested for any of the status adjectives. It is also, it seems, the only known instance of *kratisteia* in Greek in this sense. More important still, the document contains the earliest known evidence—or, perhaps better, suggestion or implication—that this status as such conferred immunity from city obligations (*politikai leitourgiai*—see text to n. 45 above). More important still, the right thus claimed had been gained by a personal petition to the emperors, and was then quoted, in the man’s interest, with some apparent hesitation, by his advocate in court.

***Dignitates* and Obligations in the Fourth Century**

P. Oxy. IX 1204 of A.D. 299 is, of course, no more than a chance item of evidence, which happens to illustrate very clearly a complex process of conceptual and social change relating to status and obligation. Other equally accidental items of papyrus evidence of this period from Egypt seem to indicate that no universal and absolute correlation between status and exemption from city functions had been established. In (probably) 293/4 a *perfectissimus* (*diasēmotatos*) acted as *prytanis* (office-holder) in Oxyrhynchus (*P. Oxy.* XLVI 3297); in probably 322 two men, each described as *diasēmotatos* and one described as *kratistos*, were in charge of public bakeries in the Thebaid (*P. Oxy.* XLIII 3124). Under Constantine two men described as *diasēmotatoi dekapr* *ὀ* *toi* acted as ambassadors of the Sicilian cities to a former *corrector* (special emissary appointed to supervise the finances of provincial cities) of Sicily in Rome,⁷⁴ while in 346 a *v(ir)* *p(erfectissimus)* was responsible for the erection of a statue on behalf of the *ordo Spoletinorum* (the town council of Spoletum) (*ILS* 1229). None the less, it is surely of some significance that Lactantius, writing perhaps in about 313/14, speaks of Galerius, after 305, putting to the

torture not only *decuriones* (city councillors), but the *primores* (the foremost men) of the cities, that is *egregii* and *perfectissimi viri*, a process which he sees as the removal of *honores*.⁷⁵ The implication is clearly that these were ranks whose holders belonged to the cities but were superior to and distinct from the town councillors.

There is no surviving formal statement of this distinction, however, until we come to the extensive document mentioned above (text following n. 67) and addressed by Licinius in 317 “to the Bithynians”,⁷⁶ it is likely therefore to have been a letter in reply to an embassy from the province, in which his “capital,” Nicomedia, lay. It is not unreasonable to imagine that particular tensions had arisen in Bithynia between the claims of the cities and the availability of posts and ranks at court and in the army.

The letter reflects a situation in which various statuses could be granted by letters of appointment (*codicilli*) issued to former holders of various offices (other than *monetarii*, mint officials) and in which, by a consequential development, such *codicilli* could also be acquired by the exercise of influence, without the holding of any relevant office. Licinius’ treatment of this aspect recalls many of the aspects of city life discussed above, while also confirming certain new bases for exemption claimed by interested parties:

But if a town councillor [*decurio*] by exercising influence [*suffragium*] has gained the *dignitas* of the *perfectissimus* or *ducena* or *centena* [see text to n. 64 above] or *egregiatus*, in the hope of avoiding his *curia* [city council], he shall lose his *codicilli* [letter of appointment] and be restored to his rank, so that, having undergone an examination of his *honores* and *munera civilia*, he may obtain some privilege within the terms of the city law. Nor may a man who, on the basis of *origo* [birth] or *incolatus* [residence] or of owning property there, is [summoned] to the *curia* [city council], be protected by the *dignitas* of the *perfectissimus* if it has been obtained by influence; the *dignitas* should be removed and he be consigned to the town council. (CTh 12, 1, 5)

Subsequent imperial pronouncements continue to assume the existence of a system whereby *codicilli* granting the *perfectissimus* could be issued (the *egregiatus*, as mentioned above, disappears immediately); the emperors’ aim appears as that of limiting the categories of persons eligible and of invalidating *codicilli* gained by influence or bribery.⁷⁷ Once again we can see attempts being made to enforce the imperial rules in different regions in the face of individual

initiative in acquiring the ranks which would confer exemption. Thus Constantius wrote to the proconsul of Africa in 339: “You have complained that the Senate of the splendid city of Carthage is depleted, and only a few *curiales* remain, while all are buying, at the cost of shameful strains on their resources, the *insignia* of a *dignitas* which is not due to them. So such men shall be deprived of their nominal ranks [*honores imaginarii*] ... and be subjected to city *munera*” (CTh 12, 1, 27). Writing to Caesena in 354, Constantius, before coming to the *clarissima dignitas* (text to n. 68 and following above), had tried a different solution: “If any are found to have been honoured with the rank of *ex praesidibus* [former provincial governors] or of the *perfectissimus*, they shall, while retaining the *dignitates* which they gained by influence, none the less remain members of their *ordo*, perform *officia curialia* [the duties of a city councillor], and submit to the obligation of the municipal *munera* which they share with you” (CTh 12, 1, 42).

That was the other side of the picture. The rulings issued by emperors were open to use not only by those who sought a means of escape but by those in communities all over the Empire who wished to lighten their own burdens by imposing a share of them on others. However, this very reply, intended to assist the town council of Caesena, itself reflects another novelty of the Tetrarchic period, the existence of a category or status of ex-holders of a particular post.

Former Office-Holders, Status, and Exemption

In this area also it seems clear that the general use of honorific terms preceded the attachment of privileges to them. In the course of the third century we can observe on occasion, recorded on inscriptions, terms indicating the fact that a man is classed among the former holders of a particular post: *ex procuratoribus* (*apoepitrop*  *n*) (former procurators); *ex protectoribus* (*apo protektor*  *n*) (former protectors, a military rank); and *a ducenariis* (*apo doukēnari*  *n*) (former holders of a ducenariate post).⁷⁸ Once again, however, it is not until the Tetrarchic period that we have a specific indication that any formal privileges were attached to such a status. As late as 282, it will be recalled (text to n. 52 above), Carus, Carinus, and Numerianus had laid down that *ex-procuratores* should perform *munera civilia* suitable to their *dignitas*. But a different principle was enunciated, at an uncertain date, by Diocletian; when addressing what was evidently an embassy of *principales* (leading city councillors) from Antioch, he

stated: “To certain *dignitates* there has been granted by us *indulgentia* [exemption] from civil and personal *munera*, that is to those who are former *protectores* and former *praepositi* [also a military rank]. Such persons therefore will not be summoned to perform personal or civil *munera*” (CJ 10, 48, 2). A few remaining traces of the utterance in Greek by the embassy, preserved in this fragmentary extract from the imperial record of proceedings, are enough to identify this as the second of the two known literal dialogues over obligation and exemption; the implication is clearly that the *principales* had come to object to the exemption claimed by these categories of ex-officers. In this case, as it seems, the emperors had deliberately introduced exemption from civil burdens as a novel means of reward for those in their service. In a sense they were thus merely extending upwards the principle long adopted for ordinary veterans. But in doing so they also created the possibility, as with other ranks, that the *nominal* status of former *protector* or former *praepositus* would be sought by influence or bribery for the sake of the immunity it conferred: “It cannot be tolerated that men should insert themselves into titles of military honour who have neither seen a line of battle nor looked on the standards nor borne arms. So if any have obtained for themselves letters of appointment as former *protectores*, or former *praepositi*, or former *tribuni* [former military tribunes], they shall not enjoy the privilege, which is earned by those who have reached this *honor* by due military service and by undergoing the effort of bearing arms.”⁷⁹ None the less, Constantine in 314 extended this privilege to persons who had retired from the imperial *cubicula* (bed chambers), from Palatine posts and from the *scrinia* (offices) of the *memoria* (records of decisions), *epistulae* (correspondence), and *libelli* (petitions); for these categories alone the privilege of exemption was granted to sons and grandsons, as well as to the men themselves.⁸⁰

This remarkable extension may serve to remind us how very exceptional it was for any of the status distinctions of the imperial period to acquire even a limited hereditary character. But the use of immunity as a reward, or permanent privilege of status, for ex-holders of offices, was soon applied, for instance, to former *comites* (“companions”—a high-status term used in various contexts), *ex praesidibus* (former *praesides*, governors), *ex rationalibus* (former financial officials), and others. Once again, therefore, we see that a form of status designation comes into common use first and has specific privileges attached to it subsequently. This development had two immediate effects. Firstly, we find the emperors trying, exactly as

with *clerici* (text to n. 34 and following), to *prevent* town councillors from acquiring the relevant ranks (and with them prospective immunity) until they had fulfilled their local functions.⁸¹ Secondly, as we would expect, men came to acquire *codicilli* giving them the formal or nominal rank of ex-office-holder. So Constantius was to write in 353 to the town council of Carthage:

All former *comites* and former *praesides*, and the others who, without holding them, have acquired nominal *codicilli* of the implied *dignitates*, if it is proved that they have been of your number, will remain members of your body, and will undertake all the burdens and *honores* which the needs of the town demand, while retaining the titles of the *dignitates* which it is established that they had been granted. (CTh 12, 1, 41)

Conclusion

As we saw at the beginning, fourth-century observers were well aware that the altered presuppositions about office in the imperial service and consequent exemption had critically affected the conditions under which the cities functioned. However, Julian's measures, to which Libanius briefly alludes, give, if anything, an indication of how limited were the steps which could now be attempted even by an emperor who was deeply committed to the restoration of the cities.⁸² Removing the immunity enjoyed by the Christian clergy was easy.⁸³ But beyond that his measures were modest and conservative. The immunities enjoyed by chief doctors (*archiatri*) were immediately confirmed.⁸⁴ Moreover, what Libanius (Or. 18, 135–45) says about Julian's dismissal of the imperial agents called *agentes in rebus* and *curiosi*, who had gained these posts partly in order to avoid city obligations, does not seem to mean that they in principle lost their immunity from such obligations; the *Theodosian Code* shows that Julian in fact confirmed the immunity of *agentes in rebus* who had served three years, or been dismissed in his fourth consulate (363),⁸⁵ he did the same for those who had served for fifteen years in the *scrinia* (offices) of the *memoria*, *epistulae*, and *libelli* (CTh 6, 26, 1). We cannot determine the precise content of his general ruling "that everyone should be summoned to the council and be enrolled, unless he had valid reason for exemption"⁸⁶—though his own claim to have made the richest former officials of his finances and of the mint liable for service in the council of Antioch may serve as an example (*Misop.* 367 D). However, Ammianus represents him on two separate occasions, at Naissus in

361 (21, 12, 23) and at Ancyra in 362 (22, 9, 12), as giving judgement personally in favour of the city councils and against individuals trying to escape *munera*, and thus disregarding the claims of *dignitates*, *stipendia* (military service), and *origo*. It is striking that his steps to strengthen the claims of city councils on men's services were seen by Ammianus, in his final summing up, merely as harsh and oppressive (25, 4, 21).

That comment reflects the fact that throughout the imperial period rulings and decisions given by the emperor could have significant effects in altering the legal framework to which individuals and communities appealed in contested areas. In this sense the innumerable self-governing cities of the Empire had always lived within a common framework of rules issued from the centre. But, equally, the emperor, in issuing his rulings, was subject to pressures from below, ranging from demands for the settlement of disputes to requests for individual exceptions and exemptions and for the extension of existing privileges to cover wider groups. Since ancient cities functioned not by the imposition of direct taxation but by social, and later legal, pressure for the performance of expensive *honores* and *munera* by individuals, the conditions of obligation and exemption were of central importance; and hence this area was always one in which the emperor's rulings had a vital place. For a surprisingly long time Roman statuses and the fact of having occupied posts in the service of the Empire did not play much part in providing the conditions for exemption. But the growth of the imperial service and of the army meant in the end that the Empire and its constituent cities were in direct and continuous competition for the same human and financial resources. In that situation the emperors, under pressure both to reward those in their own service and to protect the interests of the cities, were pursuing aims which were bound to be mutually contradictory. In this delicate area of conflicting rights, duties, claims, and immunities, various forms of status, conferred (in principle at least) by the emperor and at least loosely related to roles in the imperial service, came to represent the key area of dispute. Whether there was a class struggle and, if so, how much it contributed to the decline of the Empire remain unresolved questions. But *this* area of conflict was categorically not a matter of class struggle, but of the formal statuses and privileges available under certain circumstances to members of the propertied classes. Imperial initiative, in the form of the desire to use immunity from city obligations as a reward for service, played some part in the sudden evolution of formal status

distinctions, with definite legal consequences, which took place in the late third and early fourth centuries. But it is surely significant that versions of the status terms themselves had entered the common stock of honorific vocabulary, typically employed on inscriptions, before legal consequences became attached to them. An earlier stage in the consciousness of status, as associated with official roles, is perfectly captured in the recently published inscription of a man who in the third century rose through equestrian posts into the Senate: the inscription retrospectively attaches the successive status appellations of *egregius*, *perfectissimus*, and *clarissimus* to the successive stages of his career.⁸⁷ But the step from adjectives to nouns denoting statuses, as abstract qualities which might inhere in a person, arrived simultaneously with the conception that such a status might confer immunity from the obligations imposed by a man's native city. It is surely suggestive that our earliest expression of both of these conceptions is a document which records a petition to the emperors. Aurelius Plutarchus deserves a small place in history.

Notes

* First published in *JRS* 73 (1983): 76–96.

1. Libanius, *Or.* 18, 146–47. For the general issue also *Or.* 48, 17ff.

2. C. Lepelley, *Les cités de l'Afrique romaine au Bas-Empire* I–II (1979–81).

3. F. Millar, *The Emperor in the Roman World* (1977; 2nd ed., 1992), henceforth *ERW*.

4. See the interesting observations, which require further discussion, by J. Bleicken, *Der Regierungsstil des römischen Kaisers eine Antwort auf Fergus Millar* (*Sitzungsberichte der Wissenschaftlichen Gesellschaft an der Johann Wolfgang Goethe-Universität Frankfurt am Main* 18, 5, 1982), and Millar, Afterword, *ERW*².

5. *Dig.* 50, 5, 8, *pr.*

6. See V. Nutton, "The Beneficial Ideology," in P. D. A. Garnsey and C. R. Whittaker, eds., *Imperialism in the Ancient World* (1978), 209.

7. Text in O. Lenel, *Palingenesia Iuris Civilis* I, cols. 707–18; for a sketch of some issues relating to the adoption and reception of Roman law in the Greek East, see F. Millar, "Culture grecque et culture latine dans le Haut-Empire: la loi et la foi," in *Les martyrs de Lyon (177), Lyon 20–23 Septembre 1977, Coll. Int. du CNRS* 575 (1978), 187.

8. Pliny, *Ep.* 10, 58; Philostratus, *VS* 1, 8 (Favorinus' unsuccessful

case before Hadrian); *Frag. Vat.* 149 (general immunity); *Dig.* 27, 1, 5–7 (exemption from *tutela*; liability for obligations on property); *Dig.* 50, 5, 8, 4 (philosophers, if they teach actively, excused *tutela* and personal duties, not expenditure); *CJ* 10, 42, 6 (Diocletian and Maximian refuse a philosopher exemption from “burdens which are imposed on property”).

9. Cf. V. Nutton, “Two Notes on Immunities: *Digest* 27, 1, 6, 10 and 11,” *JRS* 61 (1971): 52.

10. Libanius, *Or.* 14, 9–12.

11. D. Daube, *Roman Law: Linguistic, Social and Philosophical Aspects* (1969), chap. 1.

12. See the survey by A. H. M. Jones, *The Greek City* (1940), chap. 1.

13. Space does not allow a review of responses, especially in the light of the Tabula Irnitana, to the heretical suggestion in *ERW*, 397–407, 485–86 and app. IV, that *municipia* were not centrally “created” by charter and that the ordinary citizens of “Latin” communities were *peregrini*.

14. Modern work renders our conception of the real content of these terms if anything more complex and obscure than before. See, e.g., L. Bernhardt, *Imperium und Eleutheria* (1971); “Die Immunitas der Freistädte,” *Historia* 29 (1980): 190; and “Immunität und Abgabepflichtigkeit bei römischen Kolonien und Munizipien in den Provinzen,” *Historia* 31 (1982): 343.

15. See A. Mócsy, “Ubique Res Publica,” *Acta Antiqua Academiae Scientiarum Hungaricae* 10 (1962): 367; J. Gascou, “L’emploi du terme *respublica* dans l’épigraphie latine d’Afrique,” *MEFRA* 91 (1979): 383.

16. See L. Neesen, “Zur Entwicklung der Leistungen und Ämter (munera et honores) im römischen Kaiserreich des zweiten bis vierten Jahrhunderts,” *Historia* 30 (1981): 203.

17. See, e.g., W. Langhammer, *Die rechtliche und soziale Stellung der Magistratus Municipales und der Decuriones* (1973): 262–77; Neesen (n. 16), 216–23.

18. For a detailed treatment, see D. Nörr, “Origo,” *Tijdschr. v. Rechtsg.* 31 (1963): 525; *RE Supp.* X (1965), 433.

19. E.g., *Dig.* 50, 1, 1, 2. See A. J. Marshall, “Pompey’s Organisation of Bithynia: Two Neglected Texts,” *JRS* 58 (1968): 103.

20. Philostratus, *VS* 2, 30.

21. *ILS* 1374; R. K. Sherck, *Municipal Decrees of the Roman West* (1979), no. 2.

22. Agennius Urbicus, *de controversiis agrorum*, in *Corpus Agrimensorum Romanorum* I, 1, ed. Thulin, p. 45.

23. *ILS* 8860; Sherck (n. 21), no. 1. For "attribution," see U. Laffi, *Adtributio e contributio* (1966).

24. Agennius Urbicus (n. 22), 45–46.

25. T. C. Skeat and E. P. Wegener, "A Trial before the Prefect of Egypt Appius Sabinus, c. 250 A.D.," *JEA* 21 (1935): 224.

26. See *ERW*, 180.

27. *CTh* 12, 1, 33. See F. Millar, "The *Privata* from Diocletian to Theodosius," in C. E. King, ed., *Imperial Revenue, Expenditure and Monetary Policy in the Fourth Century A.D.* (BAR. Int. Ser. 76, 1980), 125.

28. *IG* VII, 2413–14; R. K. Sherck, *Roman Documents from the Greek East* (1969), no. 44.

29. Sherck (n. 28), no. 57; see *ERW*, 456.

30. *ERW*, 456–63.

31. Text to n. 8 above.

32. *FIRA*² I, no. 87; revised text and commentary in E. Weber, *Die römische Inschriften der Steiermark* (1969), no. 149.

33. See A. H. M. Jones, "The Caste System in the Later Roman Empire," in *The Roman Economy* (1974), 396. The connection is also made in the detailed and useful article by D. Liebs, "Privilegien und Standeszwang in den Gesetzen Konstantins," *RIDA* 24 (1977): 297.

34. Eusebius, *HE* 10, 7, to the proconsul of Africa, Anullinus, in 313. See T. G. Elliott, "The Tax Exemptions Granted to Clerics by Constantine and Constantius II," *Phoenix* 32 (1978): 326.

35. Sherck (n. 28), no. 22, Greek text l. 12.

36. P. Roussel, "Un Syrien au service de Rome et d'Octave," *Syria* 15 (1934): 33; *IGLS* III, 718; Sherck (n. 28), no. 58, col. II, ll. 22–23.

37. For this aspect of the ambivalent role of the emperors vis-à-vis the institutions of the Republic, see A. Wallace-Hadrill, "Civilis Princeps: Between Citizen and King," *JRS* 72 (1982): 32, esp. 46–47.

38. *SEG* IX, 8; *FIRA*² I, no. 68, III.

39. Cicero, *de leg.* 2, 5.

40. See, e.g., *ERW*, 483–85.

41. *CIL* XVI; M. M. Roxan, *Roman Military Diplomas, 1954–1977* (1978); *Roman Military Diplomas, 1978–1984* (1985); and *Roman Military Diplomas, 1985–1993* (1994).

42. *BGU* II, no. 628; *CIL* XVI, app. no. 10; S. Daris, *Documenti per la storia dell' esercito romano in Egitto* (1964), no. 100.

43. *ILS* 9059; *CIL* XVI, app. no. 12; Daris (n. 42), no. 104.

44. *BGU* I, no. 180; *Sel. Pap.* II, no. 285; Daris (n. 42), no. 105. See N. Lewis, "Exemption from Liturgy in Roman Egypt," *Actes du Xe Congrès Internationale de Papyrologie 1961* (Warsaw, 1964), 69, esp. 72–73.

45. *Dig.* 26, 1, 8, 2–3.

46. *Dig.* 50, 5, 8, 2; *Frag. Vat.* 143 (*tutela*).

47. Cf. *CJ* 7, 64, 9; *CTh* 7, 20, 6. For *cohortales* as soldiers, see, e.g., *CTh* 7, 20, 4.

48. *CTh* 7, 22, 2–5; 12, 1, 13; 18; 32; 35 (A.D. 343).

49. *CTh* 7, 22, 1–6; 12, 1, 10–11; 13; 22; 32; 37; 40; 43; 45.

50. *CTh* 12, 1, 56 (the date is 21 December 362, twelve days before the Kalends of January in the consulship of the Emperor and Fl. Sallustius—363).

51. The principle is specifically related to exemptions in a few relatively marginal cases; see, e.g., Hermogenianus in *Dig.* 27, 1, 41, *pr.*—2. Cf. *Frag. Vat.* 131: a *libertus* (freedman) seeing to the affairs of a senator, excused from *tutela*, but not from *munera sordida* (manual liturgies), and *CJ* 5, 62, 13.

52. See, e.g., Pflaum, *Carrières*, nos. 1; 3; 5; 7; 11; 13 *bis*; 16; 24 *bis*; 25; 37; 55; 59; 63, etc. From the third century, note esp. Pflaum, no. 319, L. Caecilius Athenaeus, *flamen perpetuus* at Sufetula, whose duovirate there, involving shows (*voluptates*), is commemorated on his inscription (*CIL* VIII, 11340) and clearly followed his equestrian career.

53. "The Equestrian Officers of the Roman Army," in *Roman Britain and the Roman Army* (1953), 133.

54. See F. Quass, "Zur politischen Tätigkeit der munizipalen Aristokratie des griechischen Ostens in der Kaiserzeit," *Historia* 31 (1982): 188, 198–99, for holders of equestrian posts.

55. *CJ* 9, 41, 11 (Diocletian and Maximian); see P. D. A. Garnsey, *Social Status and Legal Privilege in the Roman Empire* (1970), esp. 142ff., 241ff.; P. A. Brunt, "Evidence Given under Torture in the Principate,"

56. On this problem, see D. Nörr (n. 18); A. Chastagnol, “Le problème du domicile légal des sénateurs romains à l’époque impériale,” in *Mél. L. S. Senghor* (1977), 43 (*non vidi*).

57. See Quass (n. 54), 188–98, and esp. W. Eck, “Die Präsenz senatorischer Familien in den Städten des Imperium Romanum bis zum späten 3. Jahrhundert,” *Studien zur antiken Sozialgeschichte: Festschrift F. Vittinghoff* (1980), 283.

58. T. Drew-Bear, W. Eck, and P. Herrmann, “*Sacrae Litterae*,” *Chiron* 7 (1977): 355.

59. *Dig.* 50, 4, 3, 14. See Eck (n. 57), 379.

60. *CIL* III 412 = *IGR* IV 1404; see *ERW*, 421.

61. On these points, see, e.g., A. H. M. Jones, “The Elections under Augustus,” *JRS* 45 (1955): 9 = *Studies in Roman Government and Law* (1960), 27; P. A. Brunt, “The Lex Valeria Cornelia,” *JRS* 51 (1961): 71; C. Nicolet, “Le cens sénatorial sous la République et sous Auguste,” *JRS* 66 (1976): 20.

62. M. Malavolta, “A proposito del nuovo ‘S.C.’ da Larino,” *Sesta Miscellanea greca e romana* (1978): 347; *AE* 1978, 145; see also B. Levick, *JRS* 73 (1983): 97ff.

63. For surveys of the evolution of these appellations, see O. Hirschfeld, “Die Rangtiteln der römischen Kaiserzeit,” *Kleine Schriften* (1913), 646; A. Stein, *Der römische Ritterstand* (1922), 47–48; H.-G. Pflaum, “Titulature et rang social durant le Haut-Empire,” in C. Nicolet, ed., *Recherches sur les structures sociales dans l’antiquité* (1970), 159.

64. See *JRS* 53 (1963): 197–98 (chapter 8 in this volume).

65. See the list in Pflaum, *Carrières* II, 624.

66. See the list in Pflaum (n. 63), 178–79.

67. *IRT* 467 (Lepcis Magna) of 324–26; see T. D. Barnes, *The New Empire of Diocletian and Constantine* (1982), 168: “curante Cl. Aurel. Generoso v.e., cur. r.p.” I owe the reference to H. Löhken, *Ordines Dignitatum: Untersuchungen zur formalen Konstituierung der spätantiken Führungsschicht* (1982), 131, and n. 102.

68. J. Peyras and L. Maurin, *Ureu: Municipium Uruensium* (1974), 37, no. 5 = *AE* 1975, 879.

69. *CTh* 12, 1, 74, 5 (371); *CJ* 12, 1, 11, 1 (377).

70. *P. Oxy.* IX 1204; partially quoted by A. H. M. Jones, *The Later*

Roman Empire (1964), 70; cf. *ERW*, 289. There is nothing to support the suggestion of J.-M. Carrié, *ZPE* 35 (1979): 221–23, that Aurelius Plutarchus had the rank of *primipilaris* (a centurion who held the senior centurionate of a legion).

71. Dr. J. Rea has kindly re-read the papyrus for me from a photograph and assures me that only minor amendments of the published text are required.

72. See A. K. Bowman, *The Town Councils of Roman Egypt* (1972).

73. See T. D. Barnes, *Constantine and Eusebius* (1981), 17–18; *The New Empire of Diocletian and Constantine* (1982), 54–55.

74. *ILS* 8843, re-edited by L. Moretti, *Inscriptiones Graecae Urbis Romae* I, no. 60.

75. Lactantius, *de mort. pers.* 21, 3. For the date, T. D. Barnes, “Lactantius and Constantine,” *JRS* 63 (1973): 29.

76. *CTh* 8, 4, 3 + 10, 7, 1 + 10, 20, 1 (= *CJ* 11, 8, 1) + 12, 1, 5, all with the same dating: *dat(um) XII Kal. Aug. Gallicano et Basso cons.* (issued on 21 July when Augustus Gallienus and Bassus were consuls).

77. E.g., *CTh* 6, 38, 1 = *CJ* 12, 32, 1 (Constantine); *CTh* 12, 1, 15 (Constantine, 327); *CTh* 12, 1, 41 (Constantius, 358).

78. E.g., “ex protectoribus”; *CIL* III, 7440; VI, 32945; *ILS* 5695 (A.D. 280). Examples of the Greek form (which seems to be more common) in H. J. Mason, *Greek Terms for Roman Institutions* (1974), s.v. ἀπό. Note Bryonianus Lollianus of Side, *doukēnarios*, *apo epitrop* ⲓ n, etc. (*AE* 1966, 471); see C. Foss, *ZPE* 26 (1977): 161; J.-M. Carrié, *ZPE* 35 (1979): 213. Note also *AE* 1965, 195, ex p(rimo) p(ilo); *AE* 1966, 429, *apo doukēnari* ⲓ n; *AE* 1972, 579, *apo epitropēs doukēnarias*.

79. *CTh* 7, 21, 1 (either Constantine or Constantius).

80. See *ERW*, 109.

81. E.g., *CTh* 12, 1, 4 (*praesidatus* [the status of the governor, *praeses*], 317); 12, 1, 20 (*procurationes* [procuratorships] and *curae civitatum* [posts as curator of a town], 331); 12, 1, 14 (*honores*, 326 or 353).

82. See, e.g., P. Athanassiadi-Fowden, *Julian and Hellenism: An Intellectual Biography* (1981), 98ff.

83. *CTh* 12, 1, 50 = 13, 1, 4; Sozomenus, *HE* 5, 5, 2; Philostorgius *HE* 7, 4. See Bidez-Cumont, *Ep.* 54.

84. *CTh* XII, 3, 4; *Ep.* 25b Hertlein = 75b Bidez-Cumont = 31

Loeb. See V. Nutton, "Archiatri and the Medical Profession in Antiquity," *PBSR* 45 (1977): 191.

85. *CTh* 6, 27, 2. On *agentes in rebus*, see now A. Giardina, *Aspetti della burocrazia nel Basso Impero* (1977).

86. Libanius, *Or.* 18, 148.

87. *AE* 1979, 506.

CHAPTER SEVENTEEN

Italy and the Roman Empire: Augustus to Constantine



Italy during the period of the Roman monarchy and Republic has a history; one which offers us enormous challenges and problems, but still a history: the arrival of the Greeks; the flowering of Etruscan civilisation; the “great Rome of the Tarquins”; the Latin League and its dissolution; the Samnite wars; Hannibal’s invasion; the Roman conquest and colonisation of northern Italy; the Social War; the Triumviral proscriptions and settlements; and, what is really a part of that story, the veteran colonies of Augustus.¹

Italy under the Empire has no history. That is to say, it has no narrative history. That ought to be no handicap. Narrative is out of date; what we want is social history, or the *longue durée* of Braudel. But in fact, paradoxically, the absence of a narrative—of any narrative at all which is in any way focused on Italy—has robbed us of historical questions; since there is no narrative history we have been unable to put any coherent questions to such archaeological, epigraphic, and literary evidence as we have, because we do not know what historical evolution it is which we are trying to explain.

Yet a country, or region, with several million inhabitants cannot, in any important sense, have had no history. Nor does it seem feasible that this history, evolving in the centre of a politically unified Mediterranean world, marked by an extraordinary level of urbanisation,² of construction in permanent materials, and of public commemoration in written form on stone or bronze,³ should be wholly beyond our grasp. The most ambitious approach is to survey directly the infinitely varied material available for social history, as Rostovtzeff did in his *Social and Economic History*, and as the late John D’Arms did specifically in relation to Italy.⁴

This chapter will try a different, and more partial, approach. It will ask in what sense and in what forms the Roman imperial state was present in Italy; or, to put it in a different way, in what ways the functioning of the Roman state may have affected the economic and social history of Italy. The question has two interconnected aspects. Firstly, what degree of exchange of human and economic resources

took place as between Italy and the imperial system? And, secondly, what forms of authority were exercised in Italy by appointees of the Roman state? At one level the question has often been asked, and the evidence surveyed. It is rather more than a century since Camille Jullian published his admirable monograph on the political transformations of Roman Italy between Augustus and Constantine.⁵ More recently Werner Eck has examined the organisation of Italy, and the types of official found in post there, up to the middle of the second century. He concludes, surely rightly, that even in the second half of the second century, with imperial *procuratores* (equestrian financial officials) and senatorial *praefecti alimentorum* (prefects in charge of funds for the support of poor children), *curatores viarum* (officials in charge of roads), *curatores rei publicae* (officials supervising city finances), and *iuridici* (officials performing judicial functions in civil cases in Italy) of the various regions (*regiones*), Italy still exhibits a striking “shortage of government” (*Defizit an Verwaltung*) as against anything that we might expect in a large territory forming part of a supra-regional Empire. On the other hand, as Brent Shaw pointed out to me, it is not entirely surprising that an administrative structure should have been associated primarily with conquest and tribute, and only came later to grow inwards to cover the homeland of the Empire as well.

The fact that Italy was not treated like a province, and the absence of any obvious reason why it should not be, was in fact duly commented on by at any rate one senator in the early third century, Cassius Dio, whose home city was Nicaea in Bithynia. In the speech which he gives to Maecenas, addressing Augustus, he recommends that governors should be appointed for Italy beyond the 100th milestone from Rome, as for the other areas of the Empire (52, 22, 1); that the two praetorian prefects should command both the praetorian cohorts themselves and the other soldiers in Italy, as well as the imperial slaves and freedmen there (24, 1–4); and that no community or individual should be exempt from direct taxation (28, 6). By implication, that is, Italy should also be taxed.

As regards imperial appointment of senatorial officials to be *curatores* of cities in Italy, or to be *iuridici* of different regions, or, in the third century, *correctores*, it is natural, and not in itself misleading, that we should see all this as preliminaries to the provincialisation of Italy under Diocletian.⁶ But that leaves important questions unanswered. What was the nature of the functions which these

officials performed? Is “government” in fact an appropriate term for the roles which they fulfilled? Should we give a different description of the functions of the senatorial *correctores* and *consulares* of the various regions of Italy as they were in the earlier fourth century, after Diocletian’s reorganisation?

One major innovation which Dio makes Maecenas recommend by implication to Augustus was certainly carried out by Diocletian, that is to say, the extension to Italy of direct taxation. Or at least to part of Italy, as Aurelius Victor records in bafflingly obscure terms. After describing the division of the Empire among the Tetrarchs, with Italy and Africa going to Maximian, Victor says (39, 31): “From this moment on the vast affliction of the *tributa* [direct taxes] was introduced into part of Italy. For, although each of them [the four Emperors] carried out the same functions, and in a restrained manner, in order that the armies and the emperor, who were continually—or (at least) largely—present there, could be supplied, a new set of rules was made for the payment of taxes. This arrangement, which at that time was tolerable, has in our days acquired a destructive character.” Writing soon after the middle of the fourth century, Victor slightly blurs two separate developments of the 290s: the introduction of a new general system of taxation by the Tetrarchs, proclaimed in Egypt by the prefect in 297 (*P. CairIsidor* 1 [16 March 297]), and the presence of Maximian, with his army, in northern Italy. The scattered available evidence does indeed suggest that the establishment of the Tetrarchy in 293 meant that Maximian left Gaul to Constantius and moved south to make Milan and Aquileia his primary residences.⁷

With that, two central elements of the Roman state, the court and the army—or rather, by this time, *a* court and *an* army—had so to speak decisively retreated inwards from the frontier zones to impose themselves on northern Italy. This situation, briefly foreshadowed in the barbarian invasions of the 160s, had in fact been recurrent since the middle of the third century, and was subsequently to be perpetuated as a central feature of the political and economic geography of the late Empire.⁸ The new situation is perfectly reflected in a panegyrist’s description of the meeting of Diocletian and Maximian in Milan in the winter of 290/1 (*Pan.* 3 [11] 8–12). Disregarding the season, Diocletian arrived from the east over the Julian Alps, Maximian from the west over the Cottian Alps. As the news spread through the towns of Italy, all rushed to see the emperors pass, altars were lit, offerings made, and victims slain in sacrifice. The

privileged few were admitted to gaze on the emperors, together in the *palatium* in Milan. An embassy arrived from the Senate in Rome, symbolising Milan's acquisition of some of the majesty of the capital city "so that the seat of empire was seen to be that place to which both emperors had come."

The form in which Italy, or part of it, now paid taxes to support court and army can hardly be determined. That court and army *were* supported, in cash and kind, is of course certain. The significance of this obvious fact, however, can only be put into relief if we look at current views of the economic function of the Roman state as such within the wider economy of the Empire. Firstly, it is said, the state minted coins not as a service to economic exchange within its borders, but purely as a means of making its own essential payments.⁹ Secondly, it has been argued, the raising of taxes in money in the provinces and the transfer of the surplus taxes from the richer provinces to pay troops stationed mainly in poorer, less-developed provinces produced profound effects on inter-regional trade. In consequence the tax-exporting provinces had also to export goods in order to acquire the cash to pay these taxes. In other words the financial operations of the state had significant effects both on the balance of trade within the Empire and on the level of monetisation and long-distance trade.¹⁰

But where does this picture leave Italy? The answer given does not do justice to a real problem: one of the three spheres of the Empire is defined as "the centre, comprising Italy and the city of Rome, the seat of the Court and of the central government, which, like the armies on the frontiers, consumed a large volume of taxes" (Hopkins 101). As regards Rome itself we need not dispute the point. Even so, it would be worth trying to delimit the nature and extent of the expenditure of imperial tax revenue in cash in the city. The question is not as straightforward as it may seem. We have to presume, rather than being able to prove, that at least some coin from provincial taxation was still physically transported to Rome and stored in the *aerarium* (treasury) in the temple of Saturn, or in the *aerarium militare* (military treasury), which a *diploma* (discharge certificate of an auxiliary soldier) of A.D. 65 now shows to have been an actual structure located on the Capitol.¹¹

As regards expenditures made in Rome from taxation revenue, there were public buildings and aqueducts, whether newly built or undergoing repair; there were the *liberalitates* (cash distributions) by

the emperors, which occurred erratically, but certainly required the accumulation of very large quantities of coin. There is nothing to indicate that senatorial officials in post in Rome (such as the *curatores* of the aqueducts or of the banks of the Tiber) were paid salaries; but the *apparitores* who attended both them and the magistrates certainly were entitled to pay from the *aerarium* (Frontinus, *de aquaeductu* 100). But of course the essential recurrent expenditure was that on the pay of the units stationed in Rome, the praetorian cohorts, the urban cohorts, and the *vigiles* (fire brigades).

The imperial state did thus expend a steady flow of money in Rome. It is consonant with this that the (or a) mint was located there.¹² But it is also significant that until the later third century, when mints began to operate in Mediolanum, then moving to Ticinum, and in Aquileia,¹³ this was the only mint of any kind in Italy. So was Italy outside Rome in fact a zone which received any significant input of state expenditure in cash? Most imperial building in Italy took the form of specific benefactions by individual emperors to specific cities. Beyond that, the emperors very occasionally initiated large-scale building projects, though rarely far from Rome or in areas irrelevant to it: the Claudian and Trajanic harbours at Ostia; Trajan's harbour at Centumcellae; Nero's plan for a canal from Lake Avernus to Ostia. In this last case Suetonius implies that it was at least intended to use convict labour.¹⁴ But in general, however, it should be assumed that the works involved cash payments to contractors using free labour.¹⁵ The same may also have been true of the construction and upkeep of roads: *redemptores* (contractors) are still mentioned in this connection. But in fact, firstly, the question of who normally paid for roads remains remarkably obscure: local communities, the owners of properties bordering a road, or the state, through the *curatores viarum*?¹⁶ In any case in the Empire it was primarily a question of upkeep rather than new construction. Wholly new roads are attested only for Domitian (Statius *Silvae* 4, 3 on the Via Domitiana along the coast of Campania) and above all Trajan, whose extensive programme of road building is celebrated by Galen (ed. Kuhn 10, 633); the Via Traiana and the Via Traiana Nova certainly represented major new projects. In effect, therefore, the normal method of financing road maintenance or construction remains obscure, and it was relatively rare for wholly new roads to be constructed; this aspect of the functioning of the state in Italy, though significant, cannot be assumed to have represented a regular channel for the outflow of state funds.

One very distinctive form of expenditure did relate to Italy and is attested in a wide range of Italian towns. This is, of course, the scheme for *alimenta*, possibly initiated by Nerva and certainly put through by Trajan; it was designed for the upkeep of children, and achieved by the distribution of loan funds, against security in land, which would produce an income for this purpose for each city. It is unnecessary to rehearse again the arguments to show that its purpose was demographic, and that it did not in intention represent a form of investment designed to counteract some supposed general crisis in Italian agriculture.¹⁷ However, even granted this more limited purpose, the scheme was, by the standards of the very slight activity of the state in general, positive and extensive in conception, costing initially perhaps up to 400 million sesterces (roughly the equivalent of two major aqueducts) and benefitting, initially, perhaps between 100,000 and 150,000 children. There are some slight indications that later emperors added further sums to the capital, and Marcus Aurelius certainly issued an edict in which he reaffirmed the central purpose of the scheme, that the population of *iuniores* (young people) in the towns of Italy should increase.¹⁸ But, once again, this scheme, striking though it is, cannot be seen as a major channel for the *recurrent* diffusion of state funds in Italy.

Had there indeed been such a channel, it could only have been through the payment of soldiers in the imperial service.¹⁹ Yet, of course, the almost total absence of imperial forces in Italy under the Principate was precisely one of the most distinctive features of the overall shape of the Roman state. The praetorian and urban cohorts and the *vigiles* were stationed in Rome itself. Under Augustus and Tiberius one praetorian cohort was stationed in Ostia, to be supplemented, or more probably replaced, by an urban cohort in the reign of Claudius, and then by a cohort of the *vigiles* from Hadrian onwards; a cohort is also said to have been stationed at Puteoli by Claudius. Beyond that, in the Principate, there were only the fleets stationed at Misenum and Ravenna.²⁰ These forces, of unknown size, but of not less than several thousand men each, will therefore have served as two specific, but isolated, channels through which taxation revenue flowed into Italy.

For the whole of the rest of Italy there is no evidence during the first two centuries A.D. of the establishment of any regular units of the Roman army. No legions and no auxiliary forces were stationed there. The brief and violent irruption of legionary and auxiliary forces from

the Rhine and Balkans in 69–70 left no permanent trace. Only under Septimius Severus, as is well known, was a legion, the new *legio II Parthica*, established on the Alban Hills; once again in the immediate neighbourhood of Rome. Whether or not this step was part of the deliberate creation by Severus of a “field army,”²¹ at least vexillations of the legion, and possibly on occasion the whole of it, served on campaign with emperors: for instance in 217/18 in Syria, and in 235 with Maximinus, returning from time to time to their base (*RE* XII, 1479ff.).

Over the following century only the most scattered and unsatisfactory evidence reflects the recurrent presence of the imperial court and armies in northern Italy, for instance a concentration of cavalry at Milan in 268,²² or, later, garrisons protecting the towns of northern Italy against Constantine’s advance in 312 (*Pan.* 9 [12] 5–6, 8; 10 [4] 21–22, 25). So far as I can see, however, there is no significant and coherent evidence for what, if any, regular military presence there was in northern Italy from the middle of the third to the middle of the fourth century. Central and southern Italy appear in any case to have remained ungarrisoned.

So, as regards that exchange of wealth which was created by the activities of the state, Italy remained, throughout almost the whole period, a backwater. The Roman state certainly did not *spend* there directly on a year-by-year basis. Nor, of course, did it raise direct taxes. Indirect taxes, in coin, were a different matter. No *portoria* (tolls) seem to have been raised in Italy, except in so far as the *stationes* (posts) for collecting the various regional tolls (such as the *quadragesima Galliarum* [the 2.5 percent customs duty in the Gallic provinces]) might be situated in its ports. But there was the ancient 5 per cent tax on the value of slaves at the moment of manumission, and another 5 per cent tax on inheritances (*vicesima hereditatium*), instituted by Augustus, as well as the 1 or 1/2 per cent tax on sales (abolished in Italy under Gaius) and the 4 per cent tax on the sale of slaves, attested only in the first century (Eck 111–45). The two 5 per cent taxes were raised by *publicani* (tax farmers), at least until the second century; for the *vicesima hereditatium* there were also, at least in the second and third centuries, imperial *procuratores* related to different regions of Italy. As with almost every variety of official functioning in Italy, there is a fundamental question as to what we should suppose that their functions actually were; and I would suggest that here, as in all cases, we should start from the presumption that

the primary role was juridical—hearing accusations and solving disputes. Of this more later. For the moment it may be noted that the *vicesimae* represented one of the relatively few established forms of exchange of value between state and subject attested in Italy: Petronius' *Satyricon*, for instance, almost certainly reflecting first-century Puteoli, three times refers to the payment of the *vicesima* at the moment of manumission, with accounts to be settled with the *vicensimarii* (the collectors of the *vicesima*) (58; 65; 71).

If we are to pursue the baffling question of how to describe the relations between the population of Italy and the Roman state—that is, if we ask what sorts of exchange of any type took place, what if any general rules or individual decisions were imposed there by any central authority, and (above all) how the state exercised force there—taxation, direct or indirect, will not be the only relevant form even of purely financial exchange. The *Satyricon* also reflects another quite different form of exchange, namely the pressure to leave part of one's estate to the emperor (76). There is no need to collect again the scattered evidence for imperial estates, bequeathed to the emperors, or resulting from condemnation and confiscation, which happen to be attested in Italy.²³ It is more relevant that these were felt by Tacitus to have increased since the early first century, and to have led to an extension of the extra-legal powers of those who had charge of them (*Ann.* 4, 6). We should note also the significance of the first part of the *edictum* which Claudius issued from Baiae in 46: the long *controversia* (legal dispute), evidently over boundaries, between the Comenses and Bergalei had revealed that most of the *agri* (fields) and *saltus* (woodland) concerned were imperial property (*mei iuris*). So he had sent one of his *amici* (friends) who was to settle the question of ownership, with the aid of his *procuratores* from that and another (?) *regio*.²⁴ That there were imperial *procuratores* of estates in an area might be relevant to wider questions of how power was exercised, as we shall see. In this context it will be enough to recall that imperial estates, like private ones, seem normally to have been leased out against a cash rent. We cannot begin to assess the cash income from imperial properties in Italy; but Pliny's income from his property at Tifernum Tiberinum would have paid the salaries of two imperial *procuratores* classed as *ducenarii* (with a salary of 200,000 sesterces per annum) (Pliny, *Ep.* 10, 8).

In an indirect way that fact is also part of the exchange between state and subject. Senators could attend the Senate and occupy

magistracies and other positions, of which the majority were unpaid, only as a function of having an independent income based on landed property. The familiar questions of the local origins of senators, of the maintenance into the late Empire of a solid core of senators from Italy, of the spread of senatorial status to the provinces, of how long families might maintain membership over generations—all these questions have a significant financial aspect.²⁵ Where did the properties of these families lie? Or, to put it in a different way, whose rents supported their unpaid participation in the functioning of the Roman state? If we take a very low estimate and suppose that the average wealth of the 600 senators was no more than twice the minimum requirement of 1 million sesterces, then their combined annual rental income, at 8 per cent of their total property, will have been somewhere in the region of 100 million sesterces.

Provincial senators also were supposed to acquire a substantial holding in Italian land (Pliny, *Ep.* 6, 19; *HA, M. Ant.* 11, 8); but much of this, as Edward Champlin pointed out, will have been, once again, in the suburban area around Rome.²⁶ The rents paid to senators, whether Italian or provincial, from Italian property, itself entirely untaxed, can thus be seen as an essential element in the maintenance of the state. Moreover, from Diocletian onwards, there was some form of direct taxation on at least some Italian land (text to n. 7 above); and from Constantine onwards there was a tax specifically related to senatorial properties, the *follis* or *collatio glebalis*. Beyond the bare mention by Zosimus (2, 38) of the institution of this tax by Constantine, there seems to be no evidence at all even to illustrate its working or effects in this period in Italy, or anywhere else (Jones 431, n. 51). This aspect, like so many others, of the history of the Senate between the mid-third and the mid-fourth centuries, remains wholly mysterious. But, if this new tax was effectively imposed in Italy, it will have constituted yet another significant change in the economic relations of Italy to the Roman state.

It is no doubt naive to suppose that the volume of surviving documentation on a particular area of conflict between state and subject will accurately reflect the real importance of that area. None the less, it does seem significant that we have a far more extensive and explicit dossier of complaints and disputes over the transport services which the subjects of the Empire were supposed to provide than, for instance, over direct taxation.²⁷ In the High Empire, at least, the issue concerned not a state transport system organised along

particular routes but obligations on the subjects to provide *vehicula* (waggon) for any official travellers: not merely messengers armed with a *diploma* (a certificate permitting its bearer to demand waggons), but senatorial and equestrian officials, and soldiers in transit. These obligations were imposed, and the inevitable conflicts arose, in Italy as well. This fact is of course attested by Claudius' well-known edict, from a copy found in Tegea (*CIL* 3, 7251): "Although I have often attempted to relieve the colonies and *municipia*, not only of Italy but also of the provinces, and the *civitates* [towns with no specific Roman status] of each province, from the burdens of providing waggons ..." The post of *praefectus vehiculorum* (the prefect in charge of the organisation of this service) had perhaps been created, like the other major prefectures, by Augustus (Eck 88ff.). If his functions (as usual) remain very obscure, the question of the obligations imposed on Italy clearly remained important: hence the much-cited coins of Nerva *VEHICULATIONE ITALIAE REMISSA* (the *vehiculatio* of Italy having been remitted) (*BMC Imp.* 3.21, nos. 119–211). Since it is patent that the actual movement of official travellers and soldiers through Italy to and from Rome cannot in fact have stopped, and since they presumably did not walk carrying their provisions for the journey, the reference can only be to an alteration in the terms on which they were entitled to demand transport, accommodation, and services. *REMISSA* will not necessarily have meant the total abolition of such rights. In the fourth century and later the evidence reveals a vast network of *mansiones* and *stationes* (post-houses and stopping points) at which waggons and horses were supposed to be maintained. But it would still be a mistake to see this *cursus publicus* (as it was now called) purely as a state, or imperial, organisation. In fact, it involved a set of obligations imposed by the state on local communities and was managed normally by persons nominated by the city councils (Jones 830–34 with notes). Again the real nature of the obligations and exchanges involved requires much more examination. The return journey of the Bordeaux pilgrim in A.D. 333, a private traveller, of course, shows him going through a sequence of stopping points called variously *civitates*, *mutationes*, and *mansiones* from Otranto to Capua, Rome, Ariminum, and Mediolanum. But what the journey of an *official* traveller over this route would have involved for the communities he passed through still remains obscure.

The movement of a whole unit, or an army, was a different matter, imposing an immediate large-scale obligation to provide supplies (*annona* or *copiae*). A scatter of inscriptions of equestrian officers

shows men assigned to this task, including one who was *praepositus annonae expeditionis felicissimae urbicae* (placed in charge of the food supplies for the most auspicious journey to Rome); the *urbica expeditio* was certainly Septimius Severus' march on Rome in 193.²⁸ The emperor, whether or not going to or returning from a campaign, will always have had a military escort (at least one praetorian cohort?), so demands for *annona* will have followed.²⁹

In Diocletian's new taxation system, so it is often claimed, direct taxation and the provision of supplies for the army were united in a single system, which essentially transformed taxation and payment of troops in coin into an exchange involving the direct provision of taxes in kind for the army. That may be so; but in this case above all the entire question needs re-examination. For the moment we can only return to the evidence that imperial forces will have been stationed in northern Italy, at any rate from the mid-third century onwards. There is nothing whatever, to my knowledge, to indicate that regular units, except for the *legio II Parthica* from Severus onwards, were stationed in central and southern Italy at any time up to the reign of Constantine. This contrast clearly lies behind the allusion in Aurelius Victor to the imposition of taxation on "part" of Italy.

Finally, before turning back to some aspects of Italy under the Principate, it is necessary to consider two great changes of the early fourth century which fundamentally affected, or would have affected, the cities of Italy, as of everywhere else. One of them, in my opinion, never occurred; the other, of considerable importance in my view, has not been given the attention it deserves. The one which never occurred is the general confiscation of city lands—landed property owned by cities—by Constantine or Constantius. It was not often that A. H. M. Jones misunderstood something. But in this case I suggest that he attributed to a specific action by the state what was in fact a perennial effect of private acquisitiveness. The view that city lands were taken away by Constantine is now established doctrine, reappearing specifically, for instance, in Bryan Ward-Perkins' recent book on public construction in Italy from the fourth century to the ninth.³⁰ That would indeed have been a major change, if it had in reality accompanied the well-known process of the despoliation of temple treasures. But, in fact, the evidence which Jones himself cites makes clear that the lands which Julian set out to restore to the cities had not been taken by any emperor but had been occupied by private persons, in a way which can be easily paralleled from the earlier

imperial period.³¹ Julian was attempting to strengthen the rights of the cities to their own properties and the income from them, just as he attempted to strengthen their claims to the services of their own citizens.

This latter issue reflects the fundamental change in the relations of state and city which did in reality occur around A.D. 300.³² In the earlier Empire neither equestrian rank nor the holding of equestrian office conferred any permanent immunity from the *honores* (offices) and *munera* (personal or financial obligations) of a man's native city; the same may even be true, though this is less certain, of senatorial rank and office. At any rate it is abundantly attested that members of both orders did hold office, discharge functions, and spend money in their cities. Around 300, however, the emperors came to concede a quite new significance to a variety of ranks in the imperial service (like the *egregiatus* or the *perfectissimatus*) and to the status of ex-office-holder (*ex protectoribus* and so forth). This significance was precisely that these ranks and statuses, derived from roles in the imperial service (including sometimes nominal or fictitious service), could now confer a life-long immunity from the obligations of *curiales* (town councillors) in the cities. In this respect therefore the so-called caste society of the later Roman Empire was no such thing. There was instead a running battle, whose preconditions had been created by the state itself, and which was waged along the frontiers of curial and imperial status. In subsequently trying to prevent *curiales* from acquiring imperial statuses, the emperors were facing the consequences of the privileges which they themselves had allowed to be attached to these statuses. The situation which obtained after 313 with regard to the *clerici* of the Christian church was exactly analogous. For they too were granted immunity, and it was equally this very fact which then made it necessary for emperors to try to prevent *curiales* from entering the clergy. From the point of view of each city, therefore, a gulf had opened up between the declining group of *curiales*, upon whom local obligations could still be imposed, and those local landholders who had acquired a permanent immunity by real or fictitious imperial service, or by the possession of an imperial status. It was this, namely a change in the rules, and not a direct confiscation of resources, which transformed the position of the cities in the fourth century. The wealth concerned was not removed from the locality by the state, but the cities were unable to tap it for their communal needs.

In this respect of course the cities of Italy were in no different situation from those elsewhere. Many different aspects of this complex conflict are reflected, for instance, in the letter which Constantius II wrote to the town council (*ordo*) of Caesena in Aemilia from Milan in 354 (*CTh* 12, 1, 54). He begins with nominal ranks gained by influence (*suffragium*):

If any persons are discovered to have gained the rank of *ex praesidibus* [former governors] or the *perfectissimatus*, let them, while retaining the *dignitates* [statuses] which they gained by influence, none the less remain as members of their town council, let them perform curial duties, and let them be liable to the duty of performing municipal *munera*, a duty which they share with you. But if anyone has secured the insignia of the *clarissima dignitas* [senatorial status], and has not been able to obtain confirmation of the favour granted to him by producing [the relevant] *codicilli* [letters of appointment], let him lose the benefit of the *dignitas* which he had acquired.

If we go back to the beginning of the Empire, the colonies and municipalities of Italy still formed something like a distinct and privileged political corporation. Augustus could boast of the unprecedented crowds which had come from all over Italy for his election as pontifex maximus (*Res Gestae* 10, 3), and would make appointments to military tribunates on the public recommendation of each town; the group concerned will be those described on inscriptions as *tribuni militum a populo*, all from the Augustan age and all from Italy.³³ As the Tabula Siarensis from Baetica shows, when the Senate passed honours for the deceased Germanicus in December 19, they expressed the wish that the consuls would post up the decree of the Senate with their own edict, and would order the magistrates and ambassadors of the *municipia* and *coloniae* to take copies and send them to the *municipia* and *coloniae* of Italy, and to those *coloniae* which there were in the provinces.³⁴ By the time Claudius came in 48 to defend to the Senate the idea of accepting senators from Gaul, there had been a slight shift in the terminology used. "But was it a novelty that Divus Augustus, my *avunculus* [great-uncle], and Tiberius Caesar, my *patruus* [uncle], wanted all the flower of the *coloniae* and *municipia* everywhere, provided that they were respectable men and rich, in this Senate house?" (*ILS* 212).

Augustus had also, as Suetonius saw it (*Aug.* 46), populated Italy with twenty-eight colonies (text to n. 1 above), and up to a certain extent given them equal rights and dignity with Rome by allowing the

colonici decuriones (the town councillors of the colonies) to send in written and sealed votes in the elections for the magistracies in Rome. But no extensive programme of colonial foundation or settlement of veterans was ever attempted again. Only Nero and Vespasian engaged in relatively limited settlements in Campania and southern Italy. Thereafter there were none.³⁵ This progression, from a large-scale programme continuing those of Sulla, Caesar, and the Triumvirs, to intermittent minor activity, to total cessation, of course matches the steady decline in legionary recruitment in Italy, on which all studies concur.³⁶ While Italian recruits for the legions never entirely disappeared, it seems that in the second century regular levies were held in Italy only at moments when new legions were being formed, two under Marcus Aurelius and three under Septimius Severus.³⁷

The legions apart, there were also some auxiliary units raised in Italy, the *cohors Apula* and *cohors Campana*, two *cohortes Italicae voluntariorum civium Romanorum*, and some thirty-two *cohortes voluntariorum civium Romanorum*; what proportion of the latter were ever recruited from Italy remains wholly obscure. But, apart from the two or six *cohortes ingenuorum civium Romanorum* raised in Rome in the crises of A.D. 6 and 9, the entire question of these Italian or citizen cohorts awaits clarification.³⁸ No such problem arises over the urban cohorts, whose soldiers came predominantly from central Italy and to a lesser extent from the North; on our evidence less than 10 per cent of them came from the provinces.³⁹ A similar pattern prevailed for the praetorian cohorts, at least until Septimius Severus dismissed the existing soldiers and replaced them with men from the provincial armies; he thus, as Dio complains, caused the youth of Italy to turn to banditry, and filled the city with men of barbarian appearance and conduct. Thereafter, through the third century, though Italians were not excluded, the praetorians continued to be recruited primarily from the provincial legions.⁴⁰ Valerius Clemens, *natione Italus* (an Italian by birth), who was discharged from the praetorian cohorts in 306, and whose diploma was found near Grosseto, was clearly not typical.⁴¹ He will have left the service just before the coup d'état of Maxentius, whose rule from 306 to 312 was to represent the last imperial régime based on Rome and Italy until the fifth century. What this meant for Italy, in terms of taxation, the raising of forces, and the structure of society, is a question which could and should be pursued.

It should be noted, however, that the patterns of military recruitment have largely been studied through inscriptions, which

notoriously decline in numbers in the third century and after. Did the role of northern Italy as a theatre of war in the third century, its provincialisation under Diocletian, the rule there of Maxentius, or the different procedures for recruiting in the fourth century mean that soldiers were again regularly raised there? To my knowledge there has been no study of recruitment by regions in the earlier fourth century, any more than there has of the geographical distribution of the army then. It may have been a sign of the future when the soldiers whom Maximinus used in the 230s for building roads in northern Italy were the “the recruits of his new Italian youth, of the later conscription” (*tirones iuventut(is) novae Italicae suae, dilectus posterior(is)*).⁴² The Roman army of the mid-third to mid-fourth century still awaits detailed study.

In the fourth century, as is known, the sons of veterans were legally obliged to serve unless physically disabled. While no such laws can ever have been universally effective, this one did affect at least the future Saint Martin, living at Ticinum (Pavia) (Sulpicius Severus, *Vita S. Martini* 2). In the fourth century also, and possibly earlier, landowners were liable for the production of recruits, while the state could if it wished raise a tax in cash (*aurum tironicum*) instead.⁴³ Once again, if we knew whether or how early such a system applied in Italy, it would be important for our conception of the relations of state and subject there.

Whatever the uncertainties in this area, we can assume that the demands of the state, in whatever form, will necessarily have been mediated by, or refracted through, the social structures of the individual communities. Thus wherever, as in Italy, there were rich, landowning families with substantial estates, that will have affected how the demands of the state were channelled. We should recall here the important observation from the earlier imperial period contained in the *Corpus Agrimensorum* (1.1, ed. Thulin, 45):

Some types of *controversiae* [legal disputes] between cities and private persons do not arise readily in Italy, but do so frequently in the provinces, especially in Africa, where private people own estates which are of no lesser extent than the territories of the cities; indeed many own estates which are much larger than city territories. They have a not inconsiderable labouring population on their private estates, and *vici* [villages] round the villa which resemble *municipia*. The cities tend to raise *controversiae* concerning the law of the *territorium*, on the grounds that they claim the right to impose *munera*

on such and such a section of land, or to levy a recruit [*tiro*] from a *vicus* or to impose transport services [*vecturae*] or the delivery of supplies [*copiae*].

These and comparable issues will certainly have arisen in Italy, as soon as the state deployed troops there and raised recruits or levied taxes, whether in cash or kind.

One of the most valuable steps that could be taken—and now has been—towards an understanding of imperial Italy would be precisely an edition, with translation and commentary, of the writings of the land surveyors, the *Corpus Agrimensorum*.⁴⁴ One of the many things which the works of the *Agrimensores* illustrate is the long-term effect on local property relations, and power structures, of the colonisation programme of the second half of the first century B.C. Even when, as we saw, colonisation itself had ceased, its after-effects did not. These effects included, but were not confined to, major issues such as that of Vespasian's claim on all the *subseciva*, plots of land unallotted at the moment of foundation of a colony; this led to embassies coming from all over Italy to protest, to a partial concession by Titus, and to a complete withdrawal of the claim by Domitian.⁴⁵ Similarly, the allotment to veterans of land in Samnium by Vespasian led quickly to confusion over property rights by the addition and sale of plots and the customary use of natural features or roads to delimit boundaries (*Corpus Agrimensorum* 62, 95). Another fruitful cause of disputes was the preservation of *loca sacra* (sacred plots of land), a duty conspicuously laid down in the *mandata* (codes of instructions) which *legati* (governors in imperial provinces) received from the emperor. But in Italy, as Agennius Urbicus explains, this was not so easily achieved. For the *densitas possessorum* (the density of occupation) meant that much impropriety took place, and *possessores* simply occupied *luci sacri* (sacred groves) which were legally the property of the Roman people, even if located within the borders of colonies or municipalities. This too led to frequent *quaestio* (legal enquiry) as between cities and private people (*Corpus Agrimensorum* 48).

This brings us to the second question about imperial Italy. How, by whom, and in what ways was power exercised? Did Italy live, in a more specific sense than the provinces, within the decision-making structures of the Roman state, or under the jurisdiction of its magistrates? Or was it the emperor to whom cities and individuals turned? Is the appointment of *consulares* to regions of Italy by Hadrian, of *iuridici* and *correctores* later, or of *curatores* of individual

cities, to be seen as the extension of state power, and an intrusion on the autonomy of the cities? What physical force was available either to these senatorial officials or to the cities themselves for the maintenance of order? Or was order in fact not maintained? This last might mean various different things. Local notables might have exercised power in such a way that local organs of communal decision making could not effectively challenge the interests of important individuals; legal sources of the earlier fourth century do indeed reflect the fact that lower courts might be unable to resist the influence of *potentiores* (local potentates).⁴⁶ Even earlier, Callistratus applies the concept of being *in vinculis* (being in chains—and hence unable to appear in court) not only to those in *publica custodia* (city prisons) but to anyone oppressed by *latrones* (bandits) or *praedones* (robbers) or *potentior vis* (superior force) (*Dig.* 4, 6, 9); similarly, it was allowable for a man physically detained by *potentiores* to escape to a statue of Caesar (*Dig.* 48, 19, 28, 7). Actual force might, alternatively, have been exercised by employees of the Roman state—that is, since there was no other substantial body of such employees, by the army or by men from the fleets. Or it might have been exerted by the local communities; but what militias, if any, did the cities themselves possess? They certainly might have a prison (*carcer* or *custodia publica*; Millar [note 14] 130–32); and it is striking that the *Corpus Agrimensorum* (once again) states that cities regularly have suburban sites destined for *noxiorum poenae* (punishment of the condemned; 1.1, 47), which must surely mean executions. The implication is confirmed for one Italian colony, Puteoli, by an inscription laying down the duties of the *libitinarius* (undertaker) in relation to executions carried out *publice* (publicly) by the magistrate (*AE* 1971, 88, II.1, 1–14). In both cases the allusion *may* be solely to the execution of slaves; but neither text says so explicitly.

But if the cities had the means, once a criminal had been apprehended, to retain him in custody or carry out his execution, it does not follow that they had either the political will to enforce the law against local *potentiores*, the police resources for the maintenance of public order, or the concentration of physical force necessary for confronting groups of bandits. The question of bandits in the Roman Empire has been discussed by Brent Shaw; on the face of it, Italy seems to present a prime case of what he calls the “imperfect control of the central state over the whole geographic regions which were surrounded by its forces but which were inadequately penetrated by its institutions.”⁴⁷

For Italy as a whole throughout the period we are confronted by a general question: was legal force exercised by the Roman state, by the cities, by the two in concert, or by neither? Or did there lie, behind the formal apparatus of emperor, courts, magistrates, and imperial officials of various kinds on the one hand, and the cities with their councils and magistrates on the other, some alternative power structures based on patronage, the possession of large properties and groups of slaves, or influence exercised locally, or in Rome, or with the emperor? Some hints as to possible patterns in the exercise of power are, I think, provided by the well-known inscription from Saepinum relating to the movement of flocks. In spite of recent arguments, I still believe that the problem at issue in this document had nothing to do with the taxation of all transhumant flocks. In my view the interests of the *fiscus* (imperial treasury) came in solely because flocks owned by the emperor were among those which used this route.⁴⁸ The inscription, from the reign of Marcus Aurelius, contains letters from an imperial freedman to the *a rationibus* (the official in charge of imperial finance); from the *a rationibus* to the praetorian prefects, Bassaeus Rufus and Macrinus Vindex; and from the praetorian prefects to the magistrates of Saepinum. The important feature is that an issue has arisen because the magistrates and *stationarii* (see below) at Saepinum and Bovianum (to whom, presumably, a separate letter was sent) had been descending on the *pastores* (shepherds) driving flocks of sheep, claiming that they were *fugitivi* (runaway slaves), and the animals stolen; in the resultant *tumultus* (disturbances), which it is easy to imagine, sheep, including imperial ones, had got scattered and lost. The praetorian prefects write in threatening terms to the magistrates telling them to leave the *conductores* (lessees) of flocks alone; if not, it might be necessary *cognosci de hoc* (to hold a judicial enquiry on the matter).

Does this exchange imply that communal jurisdiction and public order throughout Italy were now the concern of the praetorian prefects? One famous anecdote might support this hypothesis, namely Dio's story of Felix Bulla, the leader of 600 bandits who terrorised Italy for two years under Septimius Severus, evading capture (significantly) by *megalodoria* (munificence); he rescued two of his men from a local prison by pretending to be a local magistrate who needed them for a wild-beast show, captured and executed a centurion, and was finally trapped by a praetorian tribune and interrogated by the praetorian prefect, Papinian (76, 10). Legal evidence confirms that Severus laid down that Italy *within* 100 miles

from Rome came under the civil and criminal jurisdiction of the prefect of the city (*Dig.* 1, 12) and outside that, under the praetorian prefect (*Coll.* 14, 3, 2).

The praetorian prefects, however, clearly could and did warn the local magistrates to desist from police activities which were damaging to the imperial wealth. Might not the agents of lesser *potentiores* have been able to do the same? These activities had been reinforced by *stationarii*. Are these to be seen as a local militia? The whole question needs to be re-examined. It is, once again, somewhat over a century since the last comprehensive treatment, R. Cagnat's *De municipalibus et provincialibus militiis* (1880); and a little less since Henzen published an inscription from near Pisaurum honouring a praetorian *evocatus* (a former soldier recalled to service) who in the 240s was operating with soldiers from the Ravenna fleet *ad latrunculum* (against a brigand), and surveyed the scattered evidence for the use of official force to maintain order in Italy.⁴⁹ The despatch of praetorian cohorts to deal with specific disorders is, of course, well known, as at Pollentia under Tiberius, when they were complemented by a force from the Cottian Alps (Suet., *Tib.* 37), or at Puteoli under Nero (Tac., *Ann.* 13, 48). It would be much more important to know whether the *stationes militum* (posts manned by soldiers) which Tiberius is said to have distributed more intensively in Italy (Suet., *Tib.* 37) represented the beginning of an established system. In other words might the *stationarii*, doing what appeared to be their duty in Saepinum and Bovianum, in fact have been praetorians on police duties? It may be relevant that after the establishment of the *legio II Parthica* at Alba, inscriptions attest two of its soldiers on police duties elsewhere in Italy, an *optio* [a non-commissioned officer] in the reign of Severus himself at Luna (*CIL* 11, 1322 = *ILS* 2371), and under Philip a *stationarius* who made a dedication in the *municipium* of Aveia in the territory of the Vestini (*ILS* 9087), far from any major road.

There is indeed some indication that throughout the Empire soldiers on police duty came to act in collaboration with, or under the effective orders of, the local magistrates (Millar [note 14] 130–32). If the *stationarii* at Saepinum and Bovianum were not praetorians, the word must be applied here to a strictly local force. But I do not know any certain evidence of that, or indeed any concrete evidence for local militias anywhere in Roman Italy. The question of who, if anyone, in imperial Italy exercised force in the name of the law remains remarkably open.

However, if I am right in saying that the praetorian prefects are intervening to *stop* police operations which were disadvantageous to the interests of the *fiscus*, is that not a model for how things might have worked on a local basis? It is not only that Tacitus, as we saw (text following n. 23 above), noted that when imperial estates were relatively rare in Italy the officials in charge of them were still subject to normal legal processes. Other *potentiores* might imprison people (text to n. 45 above), and cities might find it hard to impose services on large neighbouring estates (text to n. 24 above), or even to recover possession of sacred sites (text following n. 44 above).

When issues arose between city and city, or within a city over public funds or property, or between a city and a private person, especially one who was *potentior*, and if the communal rights could not be enforced, recourse will have been necessary to some outside or higher authority. This is surely, as is now generally recognised, the background to the appointment, from the late first century onwards, of imperial officials for cities and regions in Italy. There is no need to rehearse once again the evidence for *curatores* of individual cities;⁵⁰ for the *consulares* briefly introduced by Hadrian (Appian, *BC* 1 38/172; Eck chap. 7); for the *iuridici* and their varied regional distribution, between the reigns of Marcus Aurelius and Aurelian;⁵¹ for the senatorial *correctores* who appear in Italy in the third century, to become the established governors of the regions of Italy after Diocletian, sometimes with the title *consulares*; or for the *vicarii* who appear in the early fourth century.⁵² It is more important to see such officials, none of whom commanded any military force, in the context of the means of redress, or the sources of judicial decision or arbitration, available to Italian communities and individuals under the Empire. Much, as usual, remains unclear. How far was the jurisdiction of the praetors in Rome used by individuals in Italy? We would not have expected the legal procedures current in first-century Puteoli to include the giving of *vadimonia* (deposits) to appear in the Forum Augustum in Rome, as the documents from Murecine show that they did.⁵³ These documents will make possible a quite new history of the workings of the jurisdiction in Roman Italy—and in effect show for the first time how what we call “Roman law” actually operated in the classical period of Roman history.

For communities, although Nero claimed that Italy and the public provinces would henceforth have recourse to the *consulum tribunalia* (the courts of the consuls) (Tac., *Ann.* 13, 4), the evidence for

embassies before the Senate, or for decrees of the Senate concerning the affairs of individual Italian cities, is not extensive.⁵⁴ But we may note on the one hand the general decree of the Senate of A.D. 44/6 promoted by Claudius, and fulfilling the Emperor's care for the *totius Italiae aeternitas* (the survival of the whole of Italy) by forbidding the demolition of buildings for their materials—and then the exemption from this provision gained in 56 for Alliatoria Celsilla, the wife of an *ornatissimus vir* (a most distinguished man), by request to the Senate via her relatives (*FIRA*² 1, no. 45). On the other hand there is the striking case recorded by Pliny (*Ep.* 5, 4; 13) where the city of Vicetia brought an action before the Senate to prevent a praetorian senator from initiating *nundinae* (market days) on his property; but their *advocatus* (lawyer) failed to appear, scared off by warnings from his friends as to the danger of opposing, in the Senate above all, the will of a senator who was now in conflict not so much about his *nundinae* as his *gratia* (influence), *fama* (reputation), and *dignitas* (dignity). Both issues afford significant hints as to the various forms of influence which could be exercised by members of the upper classes to secure their own interests.

We need not doubt that the possibilities of effective recourse to Senate or emperor for Italian communities were profoundly affected by the network of senatorial and equestrian landholding in their territories. Eck has suggested that the relatively slight evidence for embassies from Italian towns might be explained by the functioning of patronage in its place (Eck 15). That is possible, though the extensive evidence for city *patroni* (officially appointed patrons) in Italy does not contain many instances of effective intervention by well-placed patrons from the locality:⁵⁵ the two clearest and best-known instances are the request of Minicius Italus to Trajan for the right of Aquileia to impose *munera* on *incolae* (residents) there (*ILS* 1374), and the similar role of a senator from Tergeste, Fabius Severus, in cases on behalf of the city before Antoninus Pius (*ILS* 6680). It is, however, noteworthy that cities and communities in Italy continued into the fourth century to pass honorific decrees appointing *patroni*. When the *ordo* (senate) of Peltruinum passed a decree in 242 that Nummia Varia should be the *patrona praefecturae nostrae* (the patroness of our prefecture), they did so in the hope of being *tuti ac defensi* (safe and protected) as a result (*ILS* 6110 = Sherk 20). So, too, Paestum, in its decrees passed in the reigns of Constantine and Constantius, hoped for the favour of its *patroni* (Sherk 23–25). But the real functioning and significance of that patronage system is not at all clear. Locally, the presence of senatorial

landowners may often have limited rather than increased the freedom of action of city councils; how far these and others, as *patroni*, could and did aid their cities in relation to the central powers, remains open to question. When a significant innovation was in question, an Italian community could still, throughout the period, approach the emperor directly. The clearest proof is of course Constantine's reply to Hispellum in the last few years of his reign (*ILS* 705): they had requested to be allowed to give the name "Flavian" to their city; to build there a temple of the *Flavia gens*; and to be able to hold a theatrical and gladiatorial festival separate from that at Volsinii. All this they obtained, without apparent recourse to *patroni* or reference to the *corrector* of Tuscia and Umbria or the *vicarius* of Italy.

The same of course was frequently achieved by provincial cities. The question of the gradual "provincialisation" of Italy is perhaps ultimately of significance not because this expression is itself necessarily misleading, but because it also throws into relief how limited were the functions performed by provincial governors themselves in civilian contexts. *Curatores*, as recent studies by Eck, Camodeca, Burton, and Jacques (above, note 50) all agree, were not in fact there to perform or usurp the functions of cities. Their formal role was to act as a point of recourse when issues arose over the disbursement of city funds or the use of public property. When the magistrates and *decuriones* (town councillors) of Caere wrote in 113 to their *curator* to request his assent to the allocation of a public site for a building, he was elsewhere, and needed only to write a formal letter of assent. But objections might have been made, and he *could* anyway have said no. In that case, of course, there would have been no inscription to record this transaction (*ILS* 5918 = Sherck 51).

Similarly, the *iuridici*, as their title makes clear, were there to give justice (*iura reddere*), as had been Hadrian's *consulares* (*HA*, *M. Ant.* 11, 6). They, too, were a point of recourse, as is clear above all in the decree of the Senate of the 170s on the price of gladiators.⁵⁶ Its provisions were to be enforced on the *lanistae* by the governors; in Transpadana and the *regiones* of Italy the relevant *arbitrium* was a matter for the *praefecti alimentorum*, if present, or a *viae curator*, or, if none were available, a *iuridicus* or prefect of the fleet—in short, any official to whom an interested party could gain access. There were after all only some six *iuridici* throughout Italy. Even where they are recorded as having taken steps in relation to the *annona* of a city,⁵⁷ these should not, I suggest, be interpreted as having been

administrative measures, for which they had no resources, but legal ones, comparable with the *edictum* of Antistius Rusticus in Antioch in Pisidia in 93, by which those with corn were compelled to put it on the market, under threat of penalties (AE 1925, 126). Precisely as with a governor, the single *iuridicus* of a substantial area could in the nature of the case only rule on those issues, disputes, or crises which were brought to his attention. Like the *correctores* who became the established governors, or equivalents of governors, in Italy in the early fourth century, each *iuridicus* functioned in an area containing a population of several hundred thousand people and had no military forces at his disposal. When we come to these fourth-century *correctores*, our knowledge, previously so dependent on formal inscriptions, now derives largely from legal sources. But it still may not be misleading if we see them essentially as judges in both civil and criminal cases. Thus, to take only two instances, Constantine writes in 316 to Hilarianus, *corrector* of Lucania and Bruttii, about the treatment of *decuriones* accused of aiding the falsification of a will (CTh 9, 19, 9; CJ 9, 22, 2); or to his predecessor in the previous year about the necessity of retaining cases before his own court and preventing appeals to *vicarii* or praetorian prefects (CTh 1, 16, 1).

That was one real change in the government of Italy, the creation of several tiers of jurisdiction. Another, perhaps more significant, was that the issues to be decided now included those relating to the payment of direct taxes. So Constantine laid down to the *consularis* of Aemilia and Liguria in 323 that imperial properties in Italy (*fundi patrimoniales adque enfyteuticarii per Italiam nostram*) were liable for the regular taxes (*canonica*), but were exempt from the *extraordinaria* (CTh 11, 16, 2). So too we can see in Italy, but also elsewhere in the Empire, a change whereby the persons who take credit for buildings in cities are not so much local benefactors or magistrates as *curatores* and *correctores*.⁵⁸ A prime case is the inscription recording the construction of the temple of Deus Sol in Comum under Diocletian and Maximian: *T(itus) Fl(avius) Post(umus) Titianus v(ir) c(larissimus), corr(ector) Ital(iae), perfecit ac dedicavit, curante Axilio Iuniore v(iro) c(larissimo), curatore* (Titus Flavius Postumus Titianus, a man of senatorial status, *corrector* of Italy, completed and dedicated [the temple], while Auxilius Iunior, the *curator*, a man of senatorial status, was in charge) (AE 1919, 52). In this way, in words displayed for every passer-by to read, a new structure of authority and initiative was made visible. More significant still is the inscription recording the reconstruction of the walls of Verona in 265, *iubente sanctissimo Gallieno Aug(usto)*

n(ostro), insistente Aur(elio) Marcellino v(iro) p(erfectissimo), duc(enario?) duc. (?), *curante Iulio Marcellino* (Our most sacred emperor Gallienus giving the order, Aurelius Marcellinus, a most distinguished man of ducenariate status supervising it, [and] Iulius Marcellinus being in charge) (*CIL* 5, 3329). In northern Italy at least, external pressures had now caused the Roman state, in the person of the emperor and his army and its officers, to come much closer to, or collapse inwards onto, a world of self-governing *res publicae* (city-states).

Even now, however, there was another Italy, where the state exercised no more than civil jurisdiction, and where in specific contexts the cities could still look to quite different sources of central authority. For in 289 we find the *decuriones* of Cumae appointing a new priest of the Magna Mater, and having their decision, and the priest's right to wear an armlet and *corona* (wreath) within the bounds of the city, approved in a formal letter by the college of fifteen priests called Quindecemviri Sacris Faciundis in Rome.⁵⁹ Diocletian and Maximian, with their deep commitment to Roman religious traditions, would no doubt have approved also. But they did not need to be asked.

Imperial Italy still does not have a history. I have, however, attempted to find a number of factors within the overall evolution of the Roman state which might have contributed to social change in Italy. Very little in this is at all clear; but one factor which, in a very general way, is suggestive is the imposition of court and army and taxation in northern Italy in the course of the third century.⁶⁰ Elsewhere in Italy the Roman state was present in various very limited ways—the jurisdiction exercised by the few *iuridici* or *correctores*, the need for cities to gain the consent of *curatores* for expenditures, the raising of some indirect taxes, the recruitment of soldiers first for the legions and some citizen cohorts, then (in effect) only for the units in Rome—and in the third century only for the *cohortes urbanae*. In what forms and to what extent taxation and recruitment were imposed on all of Italy in the early fourth century still remains quite uncertain. But there is still nothing to indicate that, apart from those in Rome, and the *legio II Parthica*, substantial forces were stationed there except in the North. Italy thus still presents fundamental puzzles. Firstly, can it really be true that there was no significant exchange of economic and human resources between Italy and the Empire of which it was a part? And, secondly, if the state did not exercise power and physical

force there, who did?

Notes

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1. See esp. L. Keppie, *Colonisation and Veteran Settlement in Italy, 47 BC–AD 14* (London, 1983).

2. For the significance of this, see, e.g., K. Hopkins, “Economic Growth and Towns in Classical Antiquity,” in P. Abrams and E. A. Wrigley, eds., *Towns in Societies* (Cambridge, 1978), 35; and his introduction to P. Garnsey, K. Hopkins, and C. R. Whittaker, eds., *Trade in the Ancient Economy* (London, 1983).

3. Note esp. R. MacMullen, “The Epigraphic Habit in the Roman Empire,” *AJP* 103 (1982): 233–46.

4. J. H. D’Arms, “Italien,” in F. Vittinghoff, ed., *Europäische Wirtschafts- und Sozialgeschichte in der römischen Kaiserzeit* (Stuttgart, 1990), 375–426. I was very grateful to Professor D’Arms for allowing me to see a typescript of this extensive chapter before publication.

5. C. Jullian, *Les transformations politiques de l’Italie sous les Empereurs romains, 43 av. J.-C.–330 ap. J.-C.* (Paris, 1884).

6. So, e.g., W. Simshäuser, “Untersuchungen zur Entstehung der Provinzialverfassung Italiens,” *ANRW* 2.13 (1980), 401–52.

7. T. D. Barnes, *The New Empire of Diocletian and Constantine* (Cambridge, Mass., 1982), 56ff.

8. For army and court in this area, see F. Millar, *The Emperor in the Roman World* (London, 1977; 2nd ed., 1992), 44–45; for the later fourth century and after, see L. Ruggini, *Economia e società nell’ “Italia Annonaria”* (Milan, 1961).

9. M. Crawford, “Money and Exchange in the Roman World,” *JRS*

60 (1970): 40–48; revised version in his *La moneta in Grecia e a Roma* (Bari, 1982), chap. 5.

10. K. Hopkins, “Taxes and Trade in the Roman Empire (200 BC–AD 400),” *JRS* 70 (1980): 101–25. Note for comparison the calculations by R. W. Goldsmith, “An Estimate of the Size and Structure of the National Produce of the Early Roman Empire,” *Review of Income and Wealth* 30.3 (1984): 263–88. I owe this reference to Professor B. W. Frier.

11. See F. Millar, “The Aerarium and Its Officials under the Empire,” *JRS* 54 (1964): 33–40 (chapter 4 in this volume); M. Corbier, *L’aerarium Saturni et l’aerarium militare: administration et prosopographie sénatoriale* (Rome, 1974). For the diploma, see S. Dušanić, “A Military Diploma of AD 65,” *Germania* 56 (1978): 461–75; *AE* 1978, no. 658. See also M. Corbier, “L’aerarium militare sur le Capitole,” *Cahiers de groupe de recherches sur l’armée romaine et les provinces* 3 (1984): 147. The diploma is printed in M. M. Roxan, *Roman Military Diplomas, 1978–84* (London, 1985), no. 1. See also now “Cash Distributions in Rome and Imperial Minting” (chapter 5 in this volume).

12. For the officials of the *moneta* (mint) in Rome, O. Hirschfeld, *Die kaiserlichen Verwaltungsbeamten bis auf Diocletian*² (Berlin, 1905), 181–89; H. Mattingly, *Roman Coins*² (London, 1969), 129ff. See also M. Peachin, “The Procurator Monetae,” *Numis. Chron.* 146 (1986): 94–106.

13. C. H. V. Sutherland, *The Roman Imperial Coinage* 6 (London, 1967), 5; M. Hendy, “Mint and Fiscal Administration under Diocletian, His Colleagues and His Successors, AD 305–24,” *JRS* 62 (1972): 75–82; J.-P. Callu, *La politique monétaire des Empereurs romains de 238 à 311* (Paris, 1969); M. H. Crawford, “La zecca di Ticinum,” in E. Gabba, ed., *Storia di Pavia* 1 (Milan, 1984), 249–52. See also M. Hendy, *Studies in the Byzantine Monetary Economy, c. 300–1450* (Cambridge, 1985), 378ff.

14. Suet., *Nero* 31; see F. Millar, “Condemnation to Hard Labour in the Roman Empire, from the Julio-Claudians to Constantine,” *BSR* 52 (1984): 124–47, esp. at 133 (chapter 7 in this volume).

15. P. A. Brunt, “Free Labour and Public Works at Rome,” *JRS* 70 (1980): 81–100.

16. For the evidence, T. Pekáry, *Untersuchungen zu den römischen Reichsstrassen* (Bonn, 1968), chap. 3; H. E. Herzig, “Probleme des römischen Strassenwesens: Untersuchungen zu Geschichte und Recht,”

ANWR 2.1 (1974), 593–648; Eck chap. 2.

17. I depend here on R. Duncan-Jones, *The Economy of the Roman Empire* (Cambridge, 1982), chap. 7: “Government Subsidies for Population Increase.” See also Eck 146–89.

18. Fronto, *Ad M. Antoninum de orationibus* 12, *The Correspondence of Marcus Cornelius Fronto* 2.112, ed. C. R. Haines (London, 1919) (Naber 161; Van Den Hout 154).

19. For a useful collection of the evidence on the economic effects of the presence of units of the army, see L. Wierschowski, *Heer und Wirtschaft. Das römische Heer der Prinzipatszeit als Wirtschaftsfaktor* (Bonn, 1984).

20. Suet., *Claud.* 25. See R. Meiggs, *Roman Ostia*² (London, 1973), 46, 62–63, 305. For the vigiles in Ostia, see R. Saxer, *Untersuchungen zu den Vexillationen des römischen Kaiserheeres von Augustus bis Diokletian* (*Epigraphische Studien* 1, 1967), 110–15. For the fleets, see C. G. Starr, *The Roman Imperial Navy, 31 BC–AD 324* (London, 1960); D. Kienast, *Untersuchungen zu den Kriegsflotten der römischen Kaiserzeit* (Bonn, 1966); and M. Reddé, *Mare Nostrum: les infrastructures, le dispositif et l’histoire de la marine militaire sous l’empire romain* (Rome, 1986).

21. So, e.g., E. Birley, “Septimius Severus and the Roman Army,” *Epigraphische Studien* 8 (1969): 63–82.

22. Zosimus 1.40.1; see R. Grosse, *Römische Militärgeschichte von Gallienus bis zum Beginn der byzantinischen Themenverfassung* (Berlin, 1920), 15ff.

23. See D. J. Crawford, “Imperial Estates,” in M. I. Finley, ed., *Studies in Roman Property* (Cambridge, 1976), 35–70, esp. 67–69.

24. *ILS* 206; see U. Schillinger-Häfele, “Das Edikt des Claudius *CIL* V 5050,” *Hermes* 95 (1967): 353–65.

25. For the relationship between the need to maintain an adequate base in property and the relative rarity of the retention of membership in the Senate over more than a few generations, see K. Hopkins, *Death and Renewal* (Cambridge, 1982), chap. 3 (with G. P. Burton). For a systematic survey of the epigraphic evidence for the origins of senators, see S. Panciera, ed., *Epigrafia e ordine senatorio* (Rome, 1982), 9–781.

26. E. Champlin, “The Suburbium of Rome,” *AJAH* 7 (1982): 97–117.

27. See S. Mitchell, “Requisitioned Transport in the Roman Empire:

A New Inscription from Pisidia,” *JRS* 66 (1976): 106–31.

28. For these inscriptions, see H.-G. Pflaum, *Les carrières procuratoriennes équestres sous le Haut-Empire Romain* I, 483–84.

29. Note esp. Pliny, *Pan.* 21, contrasting the burdens imposed by journeys of Domitian and of Trajan. Cf. Statius, *Silvae* 4.9.16–19, which Eck (91) is surely wrong (for once) to take as a reference to the *praefectura vehiculorum*. See rather E. Champlin, “Pegasus,” *ZPE* 32 (1978): 269–78. On the organisation and supply of imperial journeys, see H. Halfmann, *Itinera Principum* (Stuttgart, 1986), chap. 2.

30. B. Ward-Perkins, *From Classical Antiquity to the Middle Ages: Urban Public Building in Northern and Central Italy, A.D. 300–850* (Oxford, 1984), 22.

31. Jones 732 and n. 44. None of the evidence cited specifically proves the loss of city lands *to the state* by order of Constantine or Constantius; and in particular Libanius, *Or.* 13, 45 and *CJ* 11, 70, 1 show that what was involved was the improper possession of public property by private individuals. *CTh* 10, 3, 1, ordering the recovery and leasing out of *possessiones publicae* (public properties), can be seen in the same context, as can Libanius, *Ep.* 828. Here, it is true that a house to which the city of Tyre was laying claim is said by Libanius to have been granted by an emperor to someone as a reward for his services. But the issue again arose within the context of an instruction by Julian that the cities should recover their property. This same order lies behind Ammianus’ brief statement (25.4.15): “[T]he revenues were restored to the cities together with their estates.”

32. For what follows, see F. Millar, “Empire and City, Augustus to Julian: Obligations, Excuses and Status,” *JRS* 73 (1983): 76–96 (chapter 16 in this volume).

33. Suet., *Aug.* 46; see C. Nicolet, “Tribuni militum a populo,” *MEFR* 79 (1967): 29–76.

34. J. González, “Tabula Siarensis, Fortunales Siarenses et Municipia civium Romanorum,” *ZPE* 55 (1984): 55–100. The reference is to frag. (b), col. II, ll. 22–26 (p. 76) = M. H. Crawford, ed., *Roman Statutes* I (London, 1996), 518.

35. L. J. F. Keppie, “Colonisation and Veteran Settlement in Italy in the First Century AD,” *BSR* 52 (1984): 77–114.

36. See G. Forni, *Il reclutamento delle legioni da Augusto a Diocleziano* (Milan, 1953); Forni, “Estrazione etnica e sociale dei soldati delle legioni nei primi tre secoli dell’impero,” *ANRW* 2.1 (1974), 339–91; J.

C. Mann, *Legionary Recruitment and Veteran Settlement during the Principate* (London, 1983).

37. Note J. C. Mann, "The Raising of New Legions during the Principate," *Hermes* 91 (1963): 483–89.

38. For the available evidence, see M. Speidel, "Citizen Cohorts in the Roman Imperial Army: New Data on the Cohorts Apula, Campana, and III Campestris," *TAPA* 106 (1976): 339–48 (= *Roman Army Studies* I [1984], 91–101).

39. See H. Freis, *Die Cohortes Urbanae* (*Epigraphische Studien* 2, 1967), 50ff.

40. Dio 75.2.4–6. See M. Durry, *Les Cohortes prétorienne* (Paris, 1938), 247–51; A. Passerini, *Le coorti pretorie* (Rome, 1979), 171–83.

41. M. M. Roxan, *Roman Military Diplomas, 1954–1977* (London, 1978), no. 78. Note also M. Roxan, "The Distribution of Roman Military Diplomas," *Epigraphische Studien* 12 (1981): 265–86.

42. *CIL* 5, 7989 = *ILS* 487; 7990; *AE* 1953, 31; 1979, 256–57.

43. See M. Rostovtzeff, "Συντέλεια Τιράνων," *JRS* 8 (1918): 26–33; Jones 615–16.

44. See now B. Campbell, *The Writings of the Roman Land Surveyors: Introduction, Text, Translation and Commentary* (*JRS Monographs* 9, 2000).

45. *Corpus Agrimensorum Romanorum*, 1.1, ed. C. Thulin (Stuttgart, 1971), 41, 96–97.

46. See, e.g., A. Wacke, "Die *potentiores* in den Rechtsquellen. Einfluss und Abwehr gesellschaftlicher Übermacht in der Rechtspflege der Römer," *ANRW* 2.13 (1980), 562–607.

47. Brent D. Shaw, "Bandits in the Roman Empire," *Past and Present* 105 (1984): 3–52, at 30.

48. *CIL* 9, 2438; for the different interpretation mentioned, see M. Corbier, "Fiscus and Patrimonium: The Saepinum Inscription and Transhumance in the Abruzzi," *JRS* 73 (1983): 126–31.

49. G. Henzen, "Iscrizione trovata presso la galleria del Furlo," *RömMitt* 2 (1887): 14–20; *CIL* 11, 6107 (= *ILS* 509).

50. See Eck chap. 6; R. Duthoy, "*Curatores rei publicae* en Occident durant le Principat. Recherches préliminaires sur l'apport des sources épigraphiques," *Ancient Society* 10 (1979): 171–238; C. Camodeca, "Ricerche sui *curatores rei publicae*," *ANRW* 2.13 (1980), 453–534. See also G. P. Burton, "*The Curator Rei Publicae*: Towards a Reappraisal,"

Chiron 9 (1979): 465–87. For the prosopography of *curatores*, see esp. F. Jacques, *Les curateurs des cités dans l'Occident romain de Trajan à Gallien*, *Études Prosopographiques* (Paris 1983). For a detailed discussion of the functions of *curatores*, see the major study by F. Jacques, *Le privilège de liberté: Politique impériale et autonomie municipale dans les cités de l'Occident romain (161–244)* (Collection de l'École française de Rome 76, Paris, 1984).

51. M. Corbier, “Les circonscriptions judiciaires de l'Italie de Marc-Aurèle Aurélien,” *MEFR* 85 (1973): 609–90; W. Simshäuser, *Iuridici und Munizipalgerichtsbarkeit in Italien* (Munich, 1973); Eck chap. 7.

52. A. Chastagnol, “L'administration du Diocèse Italien au Bas-Empire,” *Historia* 12 (1963): 348–79; Barnes (n. 7), 143–44, 161–65.

53. See, e.g., *AE* 1969–70, 96; 1978, 134, 139. See L. Bove, *Documenti processuali dalle Tabulae Pompeianae di Murecine* (Naples, 1979), 50ff., but above all the essential re-publication by G. Camodeca, *Tabulae Pompeianae Sulpiciorum (TPSulp.)*. *Edizione critica dell'archivio Puteolano dei Sulpicii* (Vetera 12, Rome, 1999), with G. Rowe, “Trimalchio's World,” *SCI* 20 (2001): 225–45.

54. See R. J. A. Talbert, *The Senate of Imperial Rome* (Princeton, 1984), esp. 384, 417.

55. See A. Sofredi, “Il patronato in Italia alle luce delle iscrizioni latine,” *Epigraphica* 18 (1956): 157–72; L. Harmand, *Le patronat sur les collectivités publiques* (Paris, 1957); R. Duthoy, “Quelques observations concernant la mention d'un patronat municipal dans les inscriptions,” *AntCl* 50 (1981): 295–305.

56. J. H. Oliver and R. E. A. Palmer, “Minutes of an Act of the Roman Senate,” *Hesperia* 24 (1955): 320–49.

57. See, e.g., *ILS* 1118 (Concordia); *CIL* 11, 377 (Ariminum).

58. See esp. Ward-Perkins (n. 30), chap. 1 and app. 1.

59. *CIL* 10, 3698 = *ILS* 4175 (= F. F. Abbott and A. C. Johnson, *Municipal Administration in the Roman Empire* [Princeton, 1926], no. 149).

60. Between the delivery of this chapter and its revision for publication (both in 1985), and the moment when it actually appeared, a number of important relevant works were published, some of which are noted above. But it was not possible to take account of by far the most significant of them, the papers contained in A. Giardina, ed., *Società romana e impero tardoantico* I–IV (Rome and Bari, 1986), esp. vol. I: *Istituzioni, ceti, economie*, and vol. II: *Roma*:

politica, economia, paesaggio urbano. Note above all, for its relevance to the central theme of this chapter, A. Giardina, “Le due Italie nella forma tarda dell’impero,” I, 1–30, reprinted as chap. 6 of A. Giardina, *L’Italia Romana: storie di un’identità incompiuta* (Rome and Bari, 1997).

CHAPTER EIGHTEEN

Style Abides



The publication of the collected papers of a great scholar is a moment for celebration and congratulation, and also for thought. For it is also an explicit invitation to see the writer's work as a whole, as something more than the sum of its parts. In the present case this is exceptionally difficult, for there is something of Syme now in everyone who works on Roman history; but for that very reason we can afford to take his stature as a historian as a presupposition and should not shirk the duty of asking what his work has been, what we have learnt from it, what else we should have learnt from it, and how much a record of publication stretching over half a century (and still continuing) has to offer us now.

Thus in this review article the *Roman Papers*, edited with devotion, energy, and infinite labour by Ernst Badian, will form a framework, or starting point, for an attempt to look at Syme's intellectual career, achievement, and influence up to 1970, the year in which he retired from the Camden Chair of Ancient History in Oxford, and the point at which this collection stops. I do not delude myself that my view can be objective, in either personal or intellectual terms.

It must be said at once that we do not have, and now never can have, the complete collection of Syme's papers in chronological order which would alone have made all his work accessible and have formed an appropriate companion to his major individual works. Instead the Clarendon Press in 1970 produced *Ten Studies in Tacitus* (now out of print), while in 1971 there appeared *Danubian Papers*, published in Bucharest by the Association internationale d'études du Sud-Est européen. The effect has been firstly to disperse Syme's papers over a disparate series of volumes, and secondly to impose the title *Roman Papers* on the present collection, thus excluding altogether, for instance, "Three English Historians: Gibbon, Macaulay, Toynbee" of 1962 (one of his most revealing papers), and "Thucydides," delivered at the British Academy in 1960, his only excursion into Greek history.

Moreover, this is not a complete collection even of the "Roman" papers up to 1970. Badian states in the introduction (p. xi) that the choice was made by him in consultation with Sir Ronald himself. It is

not explained why the idea of a complete collection was rejected, nor what principle of selection was applied. Most unfortunately, the method of selection has operated to reinforce the familiar conception of Syme as the master of political prosopography and to obscure the fundamental importance of Latin literature for the whole of his work, and of military history in the earlier part of it. So his two earliest papers, "Rhine and Danube Legions under Domitian" (1928) and "The *Argonautica* of Valerius Flaccus" are omitted, as are "The Spanish War of Augustus" and "Galatia and Pamphylia under Augustus" (1934), not to speak of his classic chapters on the frontiers in *CAH* X (1934) and XI (1936). The post-war period is much more fully covered—with the significant exception of three papers on Sallust or pseudo-Sallust—but the understanding of Syme's development from a military historian to a political, social, and literary one is helped in these volumes principally by the bibliography up to 1970 given in vol. II, 855–62. These gaps combine with the inevitable omission of papers already reprinted in *Ten Studies* or *Danubian Papers* to give a rather misleading impression of the overall balance of his work.

Nor is it clear why it was thought worthwhile to wait from 1974 to 1979 for the preparation of an index covering both this and the two earlier collections. For it must have been apparent all that time, and indeed earlier, that Syme was not only, as he might have written, "extant," but was writing vigorously. The index on which so much labour has been spent will find its natural place, in expanded form, at the end of a third volume. Thus, for all Badian's devoted labour, for which he deserves our gratitude and sympathy, it must be said that the whole business of collecting Syme's papers has produced sadly unsatisfactory results. The basic fault must lie in the lack of appreciation of an opportunity, and a failure of conception and purpose, in Oxford.

That said, the *Roman Papers* may still afford us the opportunity of discussing his achievement as objectively as we can. For this, some elements of biography are required. Syme was born in Eltham in the North Island of New Zealand in 1903, and in 1921–23 was a student of Classics at Victoria University College in Wellington, becoming a lecturer and temporarily deputy for the professor, at Auckland in 1923. We need not doubt that a good traditional grounding in Classics was available in New Zealand at that time, but it lies in the nature of the case that the level of excellence which he attained must have been very largely a personal achievement; and, in fact, he began the study

of Greek only in 1922. The measure of his early attainment is the record of the major Classical prizes in Oxford after Syme came to Oriel College in 1925 to read Literae Humaniores (Ancient History and Philosophy). In 1926 he won the Chancellor's Prize for Latin Prose (turning a passage of Macaulay into Ciceronian prose) and the Gaisford Prize for Greek Prose (putting a section of More's *Utopia* into Platonic prose); in 1927 there followed the Gaisford Prize for Greek Verse (a passage of Morris, *Sigurd the Volsung*, in Homeric hexameters). The facts do not quite support the dramatic picture in the autobiography of Sir Harold Hobson, *Indirect Journey* (1978), 150, of the news bursting in Oriel that the Commoner from New Zealand had won all four major prizes in a single year; but they are still, in the context of the long tradition of prose and verse composition in the major English schools, startling enough. Strange and remote as these arcane art forms may seem now, the facts may serve to emphasize three fundamental aspects of Syme's intellectual career: the conquest of the inner citadel of culture by the outsider; the absolute mastery of Greek and Latin; and the devotion to language and literature, far beyond those of Greece and Rome.

Search as we may, however, we will not find in the Oxford of the late 1920s and 1930s the key to Syme's intellectual biography. But we will find one part of it in the name of the Tutor in Ancient History at Oriel, Marcus Niebuhr Tod, whose *Sidelights on Greek History: Three Lectures on the Light Thrown by Greek Inscriptions on the Life and Thought of the Ancient World* was published in 1932, followed by *Greek Historical Inscriptions I* in 1933. We surely cannot be wrong to see in Syme's work the imprint of Tod's utter devotion and professionalism, his delicacy and precision in the slightly old-fashioned use of language, and above all his use of inscriptions to illuminate the society from which they came.

Tod apart, Oxford at that time housed a number of learned and reputable Roman historians. The most important of them in terms of an intellectual influence, which it becomes increasingly difficult to define (and of which his published work can give no adequate idea), was H. M. Last, then Tutor at St. John's College. The Camden Professor was J. G. C. Anderson, a good and serious student of Tacitus and military history, whom Syme clearly respected. At Brasenose there was Michael Holroyd, whose article on the Jugurthine War in *JRS* 1928 was to be appreciatively quoted in Syme's *Sallust* (1963). At Magdalen College there was H. M. D. Parker, and Syme's first article,

on the legions under Domitian (published in 1928, a year after his final undergraduate examination), was in effect a comprehensive rectification of some parts of Parker's *Roman Legions*—and also of Ritterling's great Pauly-Wissowa article, "Legio."

That will give another—and far more important—clue. But for the moment it should be recorded that his remarkable early maturity was recognised in his election in 1929 as Fellow and Tutor in Ancient History at Trinity College, Oxford, where he remained for the decade up to the war, and for four years after it. It is not accidental that, so far as I can find, no "Oxford" autobiography covering those years (Harold Hobson's apart) mentions him. The reason why he was not much in evidence is clear, namely that he was either working or travelling. For it is the fundamental fact of his intellectual biography that the journey, literal and figurative, from New Zealand to Oxford was not enough to satisfy him. As his earliest article shows, he was already deeply imbued with the German scholarship represented in *CIL*, Dessau's *ILS*, Pauly-Wissowa, and the school of *Limesforschung* (frontier studies). What stands out here is a love of detail and of what some might call antiquarian scholarship—but one in which acute observation of the content of documents was informed by a sense of geography, reinforced in the 1930s by many journeys, sometimes on foot, through central and eastern Europe. Yet, as I will try to illustrate more fully later, it has always been Latin literature which has formed his view of what was worth writing about. All the characteristic elements of his work in the 1930s—military history, geography, Latin literature with a dash of prosopography and questions of nomenclature—appear together for instance in "Pollio, Saloninus and Salonae" of 1937; the article is notable also as revealing his earliest observations on bogus names in the *Historia Augusta* (RP I, 25).

That brings me to another product of German scholarship, Schulze's *Zur Geschichte lateinischer Eigennamen*, published in 1904, with a second edition in 1933. The formation and sources of the names used to make up the complex nomenclature of the Romans, and above all their uses in tracing origins and parentage, whether in districts of Italy or in the provinces, or as revealing colonial descent—all this has been a fundamental element in Syme's work ever since. Perhaps equally important as an influence were the essays of Richard Heinze on concepts such as *fides*, *pietas*, and *auctoritas*, finally collected in his *Vom Geist des Römertums* of 1938. Reviewing this work in CR1938, 194, Syme makes a revealing comment: "Heinze sought

the ancients for themselves, found them in their own social and spiritual context—and did not drag them out of it.” It would be difficult to emphasize too strongly the importance in Syme’s writing of a fine appreciation of Latin literature and of the deployment of concepts within it—and of finding a means, through the medium of works written in English, of letting them speak for themselves. This may be expressed in writing English sentences which are deliberate paraphrases of ancient ones; but also in a trick of style whose significance has not, I think, been noted, which consists of using such a paraphrased sentence, transferred out of context, to express a thought which a Roman *could* have had about a particular event or set of circumstances (e.g., *Tacitus*, 13 and n. 3).

Finally, the 1930s saw the emerging mastery of the techniques of prosopography, whether in tracing the social and geographical origins of an individual (“Who Was Decidius Saxa?,” 1937; *RP I*, 31–41) or his role in a complex series of political events (“The Allegiance of Labienus,” 1938; *RP I*, 62–75), or in the analysis of the new class of men brought into the Senate in the last generations of the Republic (“Caesar, the Senate and Italy,” 1938; *RP I*, 88–119). With that, of course, we come very close to *The Roman Revolution*, for which various influences, of very diverse natures, were required. One was Friedrich Münzer’s *Römische Adelsparteien und Adelsfamilien* of 1920, portraying the changing composition of the Senate, in terms of families, from the Licinian-Sextian rogations of 367 B.C. to what we may call with Syme “the doom of the nobiles” under the Julio-Claudians. The influence—fully acknowledged—is patent in every respect, from the overall theme of the composition of the governing class to the use of “the Free State” (“der Freistaat” in Münzer) as a term for the Republic. We tend to couple the names of Münzer and Matthias Gelzer as the founders of a new style of interpreting Republican political history. Here it will be sufficient to record my impression that it was not so much Gelzer’s *Die Nobilität* as Münzer’s *Adelsparteien* which formed Syme’s underlying conception of Roman political history.

However, while the *Adelsparteien* is a major historical work, it is not *The Roman Revolution*. For that Syme needed to add a number of distinct elements of his own, which I will attempt to indicate below, following no logical order.

One is the (successful) ambition to write a grand historical narrative in high style, in the manner of Gibbon and Macaulay. There were other literary influences too, and it is no accident that—as I

think—Stendhal is the only modern author whose name appears in the text (p. 485). It is particularly worth noting what Syme says of Gibbon, Macaulay, and Toynbee in ending his splendid essay in *Emory University Quarterly* 18 (1962): 129–40: “I shall have to confess where my sympathies lie. They lie with the narrative historians Gibbon and Macaulay, not with the saints and thinkers who are eager to use history for our amendment or for our punishment.” His criteria for a historical work which will also be a work of literature appear also in passing asides elsewhere; thus in *The Roman Revolution*, 247, on Varro: “The old scholar lacked style, intensity, a guiding idea”; or on Tacitus (in *Tacitus*, 197): “brevity, rapidity, splendour and concentration.” *The Roman Revolution*, on re-reading, does indeed seem to me a work of art unmatched among major historical works, and one which would still be read as such even if the day were to come when our knowledge of Roman history has been transformed by new evidence, or when we have found wholly new means of interpreting it.

Secondly, *The Roman Revolution* was of course a reaction to the political events of the 1920s and 1930s. As such it is brilliantly illuminated by Momigliano’s introduction to the Italian translation of 1962, reprinted in *Terzo Contributo*, 729–37. The reaction to fascism, not least the pompous claims associated with the Mostra Augustea of 1937–38, is obvious throughout: hence chapters entitled “The March on Rome” and “Dux.” But Syme himself has pointed to the promulgation of a constitution by the Soviet Union in 1936, a document taken quite seriously by some credulous and high-minded persons. So *The Roman Revolution* would set out to be an opposition history, in total contrast, for instance to Mason Hammond’s *The Augustan Principate* of 1933. It hardly matters that, as A. B. Bosworth so admirably showed in *Historia* 1972, the real Asinius Pollio will not actually serve for the role of opposition historian for which Syme cast him. For his truculence was a matter of style and personality, and did not extend to any significant independence from the new régime, to which he accommodated himself just as did so many others.

But if that regime was to be portrayed as the product of an illegal coup d’état carried out by violence, the portrait was to be executed by the use of two techniques of particular importance. First, it was to lose its concentration on the individual major figures, Caesar, Cicero, or Octavian, to cover an infinitely broader canvas of the actions and reactions throughout the period on the part of hundreds of members of the governing class. Moreover, the large-scale transformation of

that class, in terms of the social and geographical origins of its members, was to be the major theme; it is summed up perhaps more succinctly than anywhere else in the first two pages of “Roman Senators from Dalmatia” of 1940, reprinted in *Danubian Papers*, 110–21. On the one hand, this was a vast extension of the range of persons brought within the focus of Roman political history. On the other, Syme made, and would still make, no bones about saying that the narrative history which he is writing is that of the upper classes: “The lower classes had no voice in government, no place in history” (476). As he explained once to an audience of students in London, one writes the history of those who have freedom of action, which is not solely or necessarily a matter of social class; and in fact *The Roman Revolution* does acknowledge (e.g., 180–81) that the desires of the soldiery could often thwart the ambitions of the leaders.

Thus Syme could add various elements to a basic conceptual framework provided by Münzer: a sensitivity to the geographical, social, and ethnic character of the various regions of Italy, the Adriatic region, and the West; a detailed use of inscriptional evidence; and the integration of these new elements into a very detailed narrative of revolution, a narrative necessarily based on literary sources. That represents the first of the two new techniques applied; the second concerns the use of the literary sources themselves. In Syme’s treatment many of the classic products of Roman literature appear as instruments for the deployment of catchwords and political concepts, or the promulgation of themes of patriotic history or of national regeneration—or alternatively as the expression of opposition to or distance from the regime. In short, the literature of the age is to be seen as the words chosen by men pursuing their course through a troubled and changing period, sometimes perhaps expressing the view of an Italian middle class, whose arrival in Roman public life the revolution was to consolidate; more often perhaps simply evoking whatever themes seemed to be the required ones. In other words the reader was to break down his picture of the “Augustan age,” with all its glories, into a mosaic of contrasting testimonies, contemporary and subsequent, which between them reveal the adjustment of Roman society to the fact of monarchy, and the profound ambivalence of that society’s relation to it.

The treatment of “Augustan” literature is deeply influenced by the propaganda of the dictatorships (fascist or proletarian) of the interwar years. Perhaps indeed it was too much influenced, in seeing the

victory of Actium as prepared and produced by successful propaganda: “[C]reated belief turned the scale of history” (275). But did it? The evidence does not really suggest so. Propaganda, in the form of pamphlets and denunciations of Antonius to the Senate, there certainly was. But who believed it? On the evidence of Plutarch, *Antonius* 58–59, it caused offence and disbelief at Rome. Again, the victory of Actium earned lavish subsequent celebration in literature. But who was writing *before* Actium to celebrate Octavian as the champion of Rome and Italy? Our best contemporary testimony in prose, the last part of Nepos’ *Life* of Atticus, shows the firm neutrality maintained by Atticus until his death in March 32, and clearly approved of by Nepos: “Since each of them (Octavian and Antonius) wished to be *princeps* not only of the city of Rome but of the *orbis terrarum* [whole world]” (*Atticus* 20).

The *Life* of Atticus remains a priceless and still largely unexploited testimony to the realities of late Republican society. *The Roman Revolution* also makes too little of Velleius, ignoring him because of his undoubted mendacity, and thus losing the chance to see the whole process as represented in the loyalist effusions of a man who represented that Italy which the Augustan revolution brought to the fore: the descendant of a very old family from Campania, entering the equestrian service and then the Senate under Augustus, and writing under Tiberius. G. V. Summer, “The Truth about Velleius Paterculus: Prolegomena,” *HSCP* 74 (1970): 257–97, and A. J. Woodman, *Velleius Paterculus: The Tiberian Narrative* (1977), 28–45, present a more sympathetic account. But Syme would not have needed to take a *favourable* view, for it is precisely the time-serving loyalism and the carefully designed reticences of Velleius which tell us so much of the inner quality of the regime. However, the fundamental point remains that in this respect, too, *The Roman Revolution* demonstrated a quite new level of intensity and accuracy in making the reader conscious of how what he knows of history is built up of a mass either of reactions and impressions on the part of contemporaries or of the reflections of those reactions and impressions in later authors—who may still, like Tacitus, be writing in a framework created by the revolution.

For all these new and fundamentally important elements *The Roman Revolution* remains also a classic “old-fashioned” political history built on narrative, the accidental outcome of events which might have been otherwise, the actions, intentions, and abilities of the leading actors, and the right and duty of the historian writing now to

judge and generalise in his own person. I conclude this section with a quotation from pp. 120–21:

Such were the resources that Octavian gathered in late summer and autumn of the year. Men and money were the first thing, next the skill and the resolution to use them. An inborn and Roman distrust of theory, an acute sense of the difference between words and facts, a brief acquaintance with Roman political behaviour—that he possessed and that was all he needed. It is a common belief, attested by the existence of political science as an object of academic study, that the arts of government may be learned from books. The revolutionary career of Caesar's heir reveals never a trace of theoretical preoccupations: if it did, it would have been very different and very short.

When *The Roman Revolution* was published in September 1939, the war had already begun. It was to take Syme to Yugoslavia and then, after that, to Istanbul, where he was “Professor of Classical Philology” from 1942 to 1945. The significance of this long enforced pause in publication cannot now be assessed. It is sufficient to say that he was thirty-six when the war began and forty-two when it ended, and that he published nothing except reviews between “Roman Senators from Dalmatia” in 1940 and “Personal Names in Annals I–VI” in 1949. This was the year in which he succeeded H. M. Last as Camden Professor of Ancient History in Oxford, and we could well discern here a new phase, leading to *Tacitus* in 1958. But it was not in reality a new phase, as he himself made clear in an important passage in *Tacitus*, 545:

The Revolution at Rome worked itself out in two stages, the one sudden, the other slow. The first act destroyed the Republic in civil war, the second wore down liberty and the aristocracy in the years of peace. Sallust is the child of the one epoch, Tacitus of the other.

The revolution was thus, firstly, a political one, the imposition of a new system of government; and then, as a later consequence, the suppression of the descendants of those families which had embodied the old system and the end of the tradition of political liberty which they represented. Secondly, it was a phase, or two phases, in the history of the Roman governing class. Thirdly, it was something to be summed up in the works of two historians, Tacitus and Sallust, both of whom wrote about that society, and reflected the present in writing about the recent past. Neither went back more than a few decades before the time of his own birth.

Moreover, Tacitus as a political historian permeates *The Roman Revolution* from its opening sentence, and is already present in it also as a representative in himself of the subsequent change in the composition of the governing class: “Tacitus, a knight’s son from Italian Transpadana or from the province of Gallia Narbonensis, recaptures in his writings the spirit, the prejudices and the resentment of the Roman aristocracy” (490). The presumption as to origin is that established in the masterly article by Mary L. Gordon, “The *Patria* of Tacitus,” *JRS* 26 (1936): 145–51. More important, however, is Syme’s clear implication that the two works are to be seen together, as dealing with two phases of a single political, social, and intellectual history.

The history of the governing class, the rise of families over generations, the elucidation of career inscriptions, the patterns of office-holding—all this has of course been Syme’s central and enduring preoccupation. Of seventy-odd articles published between 1949 and 1970, a little more than half (but, it should be noted, no more than that) could be classified as prosopography. If Badian really means to say that *all* his work can be summed up as “prosopography” (*RP* I, xii), that seems to me to be simply an aberration. But on the other hand we should not allow the tedium inspired by endless volumes with lists of office-holders to obscure the fact that it has been principally the work of Syme which has shown how the contents of thousands of career inscriptions can be turned into the material of history. “History” here means both the fortunes of families over generations and the role of individuals at specific moments. It also means the study of that very important process by which the elites of many (but not all) provinces gained entry into the equestrian order and then the Senate. In *Colonial Elites* (1958), chap. 1, in “The Greeks under Roman Rule” of 1960 (*RP* II, 566–81), speaking of Popper’s *The Open Society and Its Enemies*, and again in 1962, speaking of Toynbee (“Three English Historians: Gibbon, Macaulay, Toynbee”), Syme makes the point that the “open society” of the Roman Empire has failed to win recognition as a major historical phenomenon. The theme is there, its importance is beyond all question; it is worth noting that the once-planned book *The Provincial at Rome* (see *Tacitus*, p. v) had actually been written in draft and was published posthumously in 1999 by Exeter University Press, edited by Anthony Birley.

But if this theme provides one of the central areas of concern in

Tacitus—which leads by a carefully contrived route (which has baffled some readers) to a focus on Tacitus as a Narbonensian, perhaps from Vaison—it is significant that what was produced was indeed *Tacitus* and not *The Provincial at Rome*. For it is necessary to stress the obvious fact that of Syme's nine books (other than collections) published up to 1981 only *The Roman Revolution*, *Colonial Elites*, and *Some Arval Brethren* do not bear in their titles the names of Latin authors or works: the others are *Tacitus* (1958); *Sallust* (1963); *Ammianus and the Historia Augusta* (1968); *Emperors and Biography: Studies in the Historia Augusta* (1971); *History in Ovid* (1978). I will try to show later just how fundamental is the direction of attention which these titles imply. For the moment they will be enough to suggest that *Tacitus* falls into place not only as a chapter in the history of the Roman governing clan but as a reflection of an enduring concern with the use and meaning of words, with the composition of historical works in Latin, with literary composition set against its social and political background, and with the tensions between that background and men's view of their past.

In a formal sense *Tacitus* must be considered as less successful than *The Roman Revolution*. For one thing, while "style, intensity and a leading idea" are there, the design has proved too complex for many readers to follow (see the many significant points made in Sherwin-White's appreciative review-discussion in *JRS* 1959). None the less, it is the prime example of the combined use of literature and epigraphy to evoke an entire society; and the richness and diversity of the areas explored and of the thoughts and aphorisms contained in it make it a treasure-house of methods and approaches, which still remains not fully exploited. The second reason, in my view, is that Tacitus himself had failed to find for the *Annales* any unifying theme from the Julio-Claudian period such as that which informs the *Historiae*—or at any rate the surviving books on the civil war; *Hist.* 1, 2 does not suggest to me that the later books would have lived up to the first five. Since, for all its brilliance and force in individual sections, the *Annales* is reduced by the absence of a leading idea—and the inappropriate choice of an annalistic structure—to being overall a shapeless mélange of disparate elements, *Tacitus* must as a consequence pursue divergent paths also, coming back at the end to the great social change to which Tacitus had of course alluded (*Ann.* 3, 55 and, improving on Claudius, 11, 23–25), but which it took Syme to make into history.

Syme, needless to say, shows himself aware of this limitation,

which he discusses in a crucial passage which is hardly less illuminating for his own work than his subject's (*Tacitus*, 444–45):

Tacitus was aware that large factors operated in history. To describe them was not easy. The historian can illustrate social change by means of a digression or a speech subsidiary to the annalistic record, but he cannot elevate it to the central theme in an exposition that shall embrace not Romans only but the whole empire of Rome. A new form of literature would be requisite, not built upon narrative, and not dominated by the character and attitudes of a few individuals.

It is essential to quote also the footnote which follows at this point:

That is to say, something more like Rostovtzeff's *Social and Economic History of the Roman Empire* (1926). That great work, however, would have benefited if the author had properly exploited Tacitus for the social history. Many of his generalizations are vague and vulnerable.

Syme has always been conscious of the tension between the wide views and explanations to which all historians aspire and the need for precision—or, to put it more simply, the primary claims of truth, and hence of those areas where truth is possible. For this reason, but not this reason alone, he has returned constantly to literary texts and epigraphic documents and to the types of truth which can be extracted from them. G. W. Bowersock was thus wholly right to quote in the *New York Review of Books* of 6 March 1980, a passage from “People in Pliny” (*RP* II, 711):

The science (or rather the art) of prosopography has been much in fashion in the recent age, being adduced to reinforce historical studies in the most diverse of periods. Some deprecate. For various reasons. Among them (one surmises), distaste for erudition on a narrow front, to the neglect of broad aspects and the “higher things.” Which may cheerfully be conceded. One uses what one has, and there is work to be done. If there be place for censure, it is better visited upon the ignorant and the incompetent.

Here again the voluntary restriction of attention is consciously present. It would be foolish as well as (obviously enough) futile to wish that a silk purse had somehow turned itself into a sow's ear, and that Syme had devoted himself to family structures in Oxyrhynchus, the Roman pottery trade, or the material culture of Pompeii. But, firstly, the very article from which this quotation is taken is itself a prime example of something “broad,” namely Syme's profound sense of the geography and the regional character of various parts of the Empire—in this case the Transpadane region (*illa nostra Italia*, “that

Italy of ours”) from which Pliny came and within which his primary network of relations and patronage operated. We see this quality again in the context of military history in many articles on the Danubian and Balkan areas; as regards North Africa in “Notes sur la légion IIIa Augusta” of 1936 (not reprinted) and especially in “Tacfarinas, the Musulamii and Thubursicu” of 1951 (*RP* I, 218–30); and as regards Spain in “The Conquest of North-West Spain” of 1970 (II, 825–54). “The Lower Danube under Trajan” of 1959 (*Danubian Papers*, 122–34), his only venture into papyrology, is perhaps his clearest demonstration of the combined deployment of a sense of the Latin language, nomenclature, prosopography, literary history, military history, and geography, used in this case to reveal the situation (almost certainly) just before the outbreak of the second Dacian war of 105–6.

Even if we postpone for a moment considering the place of the Greek East in his work, what has been said is enough to indicate two large themes which—I would like to suggest—are directly implied by his work. The first is a history of the Roman imperial army, as deployed over vast areas and in extraordinarily diverse landscapes, from Cumbria (now illuminated by the Vindolanda tablets) to the Rhine and Danube, to the auxiliary units which Arrian visited in the shadow of the Caucasus, to the Tripolitanian *limes*, the units in Egypt which we meet in the Panopolis papyri, or the legions of Ammianus’ time garrisoning the cities of Mesopotamia. The other theme, implicit in many pages of *The Roman Revolution* (esp. 82–85) is the history of the cities and communities of pre-Roman and republican Italy, their traditions and identities, cults, constitutions, governing classes, and relations with Rome. For the earlier period, much valuable material is collected in *Popoli e civiltà* 7 (1978); and the theme remains a major one in modern scholarship.

Alternatively, a test of the true worth of a body of historical work is whether its basic procedures and principles can be successfully exported to other areas. As I once suggested, in *JRS* 60 (1970): 216, there could be a Constantinian *Roman Revolution*, analysing the movement of events, the changes in the state, the evolution of ideology and propaganda, and the processes by which innumerable persons adapted themselves to circumstances and used them to their advantage. Eusebius, bishop of Nicomedia, was to prove a *desultor civilium bellorum* (an expert in changing horses in civil wars) to rival anyone in the Augustan age. So, in a way, was “the” Eusebius, as we

see in T. D. Barnes, *Constantine and Eusebius* (Harvard, 1981). One could imagine also a comparable treatment of the Greek (or Greek and Persian) world of, say, 350 to 280 B.C., in which the rise of the Macedonian dynasty, the conquests of Alexander, and the establishment of the successor kingdoms would be seen in terms of the fortunes of families and individuals who lived through these profound changes. Badian's brilliant paper on Harpalus in *JHS* 1961 gives an idea of what might be done here at the level of political events. But there are indeed many areas or periods in which it would be worthwhile to replace generalisations with a collective portrait of individuals whose local backgrounds, forebears, careers through time, and descendants can be known, and whose vocabularies, inherited modes of thought, styles of expression, and reactions to their past and present might be understood.

The Greek world in the Roman Empire is one society where these possibilities exist; and one of the most masterly parts of *Tacitus*—namely, chapter 38, “Tacitus and the Greeks”—is designed both to sketch a major historical development of Tacitus' time, the arrival of men from the Greek East in the Senate; and to indicate Tacitus' reaction to it—negative and suspicious, if indeed there is any coherent reaction at all (see esp. 517–19). As noted above, Syme also surveyed the resurgence of the Greek world in “The Greeks under Roman Rule” of 1963 (*RP* II, 566–81). These two studies, by reason both of their range and perceptiveness and of their comparative isolation within his work, may serve to indicate a marked pattern in his output: not, that is, in his areas of attention, but in what he has been prepared to write and publish. To put it more precisely, both the general areas of attention of his published work and the specific topics treated within it have been determined by Latin rather than Greek evidence. In the 1930s, for instance, he gave detailed attention to the historical geography and political-administrative history of Asia Minor in the last century B.C., largely on the basis of Strabo's *Geography*, and wrote a number of studies, published posthumously by Anthony Birley, *Anatolica: Studies in Strabo* (1995). This work, of course, plays its part in chapter 19 of *The Roman Revolution*, “Antonius in the East.” But for instance the very important dossier of Seleucus of Rhosos, published by P. Roussel in *Syria* 15 (1934): 33–74, gains only a passing mention (236). It is however a fundamental document for the emergence of the monarchy of Octavian; see *JRS* 63 (1973): 55–58 (= F. Millar, *Rome, the Greek World, and the East I: The Roman Republic and the Augustan Revolution*, 253–54). In the rest of *The Roman Revolution* the

perspective remains firmly and deliberately Italian. Neither the extensive Greek material in general, nor the Cyrene edicts, published in 1927, nor for instance the very full evidence illustrating Augustus' regime provided by Josephus (esp. *Antiquities* 15–17) plays any major part.

Again, if we are to make any assessment of the quality of the *Historiae* of Tacitus, the question of his predecessors and, in particular, of the “historians who, while the Flavian house was still in power, set out in writing the record of this war” (*Hist.* 2, 101), is all-important. But the section of *Tacitus* on the *Historiae* (i.e., chaps. XII–XVIII), in any case occupying a relatively slight place in the economy of the work, pays no systematic attention to the only narrative of the Civil War of 68–69 which we know to have been written under Vespasian, namely the successive excursuses in the Greek version of Josephus' *Jewish War*, completed between 75 and 79: that is, 4, 440–41; 491–502; 545–49; 585–663 (Vespasian's proclamation and plans); 7, 75–95. Yet here is the “Flavian history” from which Tacitus set out to distance himself.

The dominance of Latin literature in determining the areas of attention to which Syme's own work would be devoted is shown, paradoxically enough, precisely by the chronological range of his prosopographical studies: from the life-time of Cicero to the Antonine age, and then, in close relevance to the *Historia Augusta*, from Severus Alexander to Carinus, and finally—again in relation to the *Historia Augusta* and Ammianus—in the period of the renaissance of Latin literature in the second half of the fourth century. We cannot make any real sense of Syme's prosopographical work if we do not see that its function is to illustrate from documents the backgrounds and careers of the men who wrote and appear in—or (like Glitius Agricola) might have appeared in—the pages of literary works in Latin. It is surely significant that he has never felt moved to discuss the careers of men who were prominent in the later second century, when our major narrative sources are in Greek.

To say that is, of course, to underline at once the fact that what I am describing is Syme's own areas of attention in print. That it has been a choice and not a limitation of sympathy is clearly demonstrated by the books written as doctoral theses under his supervision, and by other books which have followed on these. My *A Study of Cassius Dio* (1964) was consciously an attempt to write one Greek chapter of *The Provincial at Rome*. Something of the same could

be said of Glen Bowersock's *Augustus and the Greeks* (1965) and *Greek Sophists in the Roman Empire* (1969), and at a further remove Christopher Jones' *Plutarch and Rome* (1971) and *The Roman World of Dio Chrysostom* (1978).

But the deployment of "Symian" techniques has of course not been confined to the Greek part of the Empire. The tension between social background, literary culture, and public role in Rome forms the central theme of Miriam Griffin's *Seneca: A Philosopher in Politics* (1976), also written originally as a thesis under Syme; for a "provincial at Rome," note also her "The Elder Seneca and Spain," *JRS* 62 (1972): 1–19. Related preoccupations run through John Matthews' *Western Aristocracies and Imperial Court, A.D. 364–425* (1976), written in Oxford and acknowledging Syme's encouragement and influence. The remarkable review-discussion by Patrick Wormald in *JRS* 66 (1976): 217–26, demonstrates how the same themes could be extended into the early Middle Ages. In a very different way, since neither a family background nor a career nor indeed a "biography" in any sense is in question, T. D. Barnes' *Tertullian* (1971), also in origin a thesis begun under Syme, is a striking attempt to see the historical, social, and cultural realities behind the massive theological and polemical works of the first Christian writer from Africa. Finally, and at one remove within the same tradition, E. J. Champlin's *Fronto and Antonine Rome* (1980) moves from the African background to the world of the Roman Senate and the court in the mid-second century.

To list these books as examples of Syme's influence or of the employment of his methods is deliberately to offer a rather different view of his role in the evolution of Roman history as a subject from that normally presumed. I would suggest that, although *The Roman Revolution* is his most complete and formally perfect work, it has not in fact had as much influence in inspiring further work as *Tacitus*. On the one hand, if we see *The Roman Revolution* as a work of "prosopographical" political history, the groundwork had already been laid in the German scholarship of the previous half-century; it is hardly necessary to stress the importance throughout Syme's work of the names not only of Münzer and Gelzer but of H. Dessau, E. Groag, and A. Stein. If, on the other, we see its greatest strength as lying in the use of literary sources to portray the development of situations and attitudes at successive moments, much subsequent writing on republican political history has relentlessly pursued the prosopographical approach, without recreating either the sweep of

narrative, or the sense of situation and unresolved possibilities or the analysis of vocabulary as used at particular moments to express (or conceal) men's reactions to events. Nobody, least of all in this context, will forget that powerful and original work, of E. Badian, *Foreign Clientelae* (1958), written as a thesis under Syme, though owing much also to Sherwin-White. But I would like to suggest that the more extensive influence of Syme belongs in a later period, and is owed not to *The Roman Revolution* but to *Tacitus*.

It is perhaps paradoxical to assess Syme's work even partially in terms of influence on others. For he himself has never displayed the slightest interest in the history of scholarship, the development of questions, or the formation of schools of thought. Occasional elegant excursions such as "Roman Historians and Renaissance Politics" (1960; *RP* I, 470–76), or the second chapter of *Colonial Elites* on Spanish America, form no true exception. The "bibliography of the subject" has never interested him, except as embodying clear and concrete discoveries (for instance, Dessau on the *Historia Augusta*), or alternatively large and wordy notions deserving of deflation (so for instance his reactions to Eduard Meyer's conception of Caesar's monarchy and to the effusions of W. Weber on the second century A.D.). In this connection the reviews he wrote in the 1930s and 1940s are a delight: "The book is arid but woolly, dullness unredeemed by exactitude" (on W. Schur, *Das Zeitalter von Marius und Sulla*, in *JRS* 1944). Nor, clearly enough, has the formal analysis of the Roman constitution ever seemed to him much more than a process of inflating words found in our sources to the point where their real meanings are lost or obscured. Here the long review of H. Siber, *Das Führeramt des Augustus* in *JRS* 1946, rightly reprinted in *RP* I, 181–96, is a model: "grave misconceptions about the character of Roman public law and disturbing errors of detail and Latinity." The opposed demonstration of how these things should be done is "Imperator Caesar: A Study in Nomenclature," *Historia* 7 (1958): 172–88 (*RP* I, 361–77)—to my mind his finest single article. To see Syme, as some have, as taking the ideas out of Roman history is seriously misleading. On the contrary, much of his effort has been devoted to mapping out just what concepts the Romans did use—and when, by whom, and to what purpose they were deployed.

It is, however, obviously true that he has always been impatient even of such relatively systematic political thought as any Romans did have, for instance in Cicero's *de re publica*, and has also not been

concerned with intellectual history as such (except in the form of historiography) or with religion or philosophy. Nor, in spite of detailed topographical work, and visits to sites to see inscriptions (e.g., *RP* II, 664: Casinum), has his range included architecture or art history, or still less the study of Roman artefacts from the point of view of technology, trade, or standards of living. His work thus represents a conscious restriction of attention by comparison, say, with that of Rostovtzeff: a move away, that is, both from the “higher things” of large historical theories and explanations, and from the “lower” ones of the vast and varied physical and documentary evidence for the life of the ancient world, which Rostovtzeff so avidly explored.

Indeed, it has not perhaps been sufficiently emphasized how firmly and deliberately non-theoretical and non-explanatory his work is. If we follow Syme, we will neither try to form a general theory of revolution nor ask why the Roman revolution occurred. Instead we will ask what occurred, or rather who did or said what at which successive moments. The words, intentions and actions of the actors will be intelligible to those who really understand Latin and Greek, have immersed themselves in the culture of the ancient world, and are prepared for the infinite labour involved. It is, in fact, this which makes it so hard to evolve any effective critique of his major works when one re-reads them. For he does not argue about or explain Roman history and society, nor (with very rare exceptions) expound or justify any particular means of approaching it. He simply selects, constructs, and presents.

Nothing could be further from various contemporary presuppositions: that we should be acutely conscious of the intellectual framework within which our predecessors—and, as far as possible, we ourselves—have approached the ancient world; that we should apply the methods of sociology, anthropology, structuralism, or Marxism (to list some categories which are not mutually exclusive); that we should distance ourselves from the material and attempt to quantify it, or begin by asking about the most basic conditions of a society in the past: its demography, food supplies, average expectation of life, level of material culture. Compared with the dominant styles or schools of historiography since the war, Syme’s method is, in a quite literal and objective sense, old-fashioned (as is, of course, most writing on other periods, and nearly all writing on ancient history). On a theoretical level, only Paul Veyne in his highly individual, difficult,

and stimulating book of 1971, *Comment on écrit l'histoire*, has argued explicitly that the grandiose pretensions of various schools of history (Marxist history above all) are delusive, and that all that history can offer is curiosity about the past—and praised Syme and others (p. 135) for accepting that history is just history. It is interesting to note, however, in the article by Lawrence Stone, “The Revival of Narrative: Reflections on a New Old History,” *Past and Present* 85 (1979): 3–24, the argument that the tide is turning, and that it can now be admitted that events, politics, wars—and in general conscious attitudes and intentions—may be of crucial importance in bringing about social change; note the valuable, but far from conclusive rejoinder by E. J. Hobsbawm in *Past and Present* 86 (1980): 3.

To Syme, I suspect, all such considerations and arguments would seem wholly superfluous. The arena of human action circumscribed and presented by classical Latin literature and by the inscriptions which go with it is accessible to us, and is sufficiently interesting, sufficiently important, and sufficiently intelligible in itself: “One uses what one has, and there is work to be done.” The domain is that of conscious human activity and of literary composition within a society of high culture. If in writing about it one can add something to the literature of one’s own time, that is the final justification. Hence the last sentence of Tacitus, and the quotation from *Annals* 4, 61 which serves as a footnote to it: “Men and dynasties pass, but style abides”—*meditatio et labor in posterum valescit*.

Notes

* First published in *JRS* 71 (1981): 144–52 as a review article of Ronald Syme, *Roman Papers* I–II, edited by E. Badian (Oxford, 1979). I am grateful to Tim Barnes, Keith Hopkins, John Matthews, and John Wilkes for comments, criticisms, and corrections. It is almost superfluous to add that they have no responsibility for the views expressed. An earlier version of this chapter was given at a seminar in the Institute of Classical Studies, London. [Ronald Syme died in 1989; for the best comment on his life and work, see the obituary by G. W. Bowersock in *Proc. Brit. Acad.* 84 (1993): 539.]

CHAPTER NINETEEN

A New Approach to the Roman Jurists



Up till a few years ago readers in the (then) Ashmolean Library in Oxford who took down the library's copy of the *Digest* would find themselves experiencing a curious journey in time. For from between the pages there would drop out leaves from German calendars of the early 1920s. If these have now disappeared, the pages themselves still contain scores of minute and precise textual notes in pencil, made by Eduard Fraenkel, whose books came to the library in 1970 after his death. The notes too date to the 1920s, and bore fruit in Fraenkel's article "Zum Texte römischer Juristen," *Hermes* 60 (1925): 415, reprinted in *Kleine Beiträge* II, 417.

Perhaps that was not in fact the last moment at which any established classical scholar took an interest in the textual transmission of the *Digest*, or in the jurists whose works are excerpted there. But no one will deny that such an interest is rare to the point of eccentricity. Yet the majority of these works are the products of men born in the second century, at the height of the outward prosperity and stability of the Empire, when the Latin language and Roman literature were the common possession of more people than ever before, and the citizenship was soon to be extended to all. Even Greeks, grudgingly or otherwise, had to acknowledge the significance of all this. "Nowadays, however, the topic of law is of no use [in an *encomium* of a city], since we conduct public affairs by the common laws of the Romans" (*Menander Rhetor*, trans. Russell and Wilson, p. 67). Others took a more positive, if still somewhat ambivalent attitude: "those admirable laws of ours, by which the affairs of all men under Roman rule are governed, and which were neither composed nor can be mastered without toil, being themselves wise, precise, varied, admirable, and in a word very Hellenic." So writes Gregorius, later to be bishop of Neocaesarea in Pontus, on his once projected course of study in Roman law, which he would have pursued at Berytus in about A.D. 230 (*Address to Origen* 7, ed. H. Crouzel, SC 148). (For a sketch of the issues relating to the reception of Roman law in the Greek world, see F. Millar, "Culture grecque et culture latine dans le Haut-Empire: la loi et la foi," in *Les martyrs de Lyon*

(177), Lyon 20–23 Septembre 1977, Coll. Int. du CNRS 575 [1978], 187.)

Not everyone from a Greek background was so hampered by the difficulty of learning Latin, which Gregorius goes on to admit. About 40 per cent of the text of the *Digest*, some 300,000 words, is the work of Domitius Ulpianus from Tyre, a Hellenized Phoenician city which was to become a Roman colony only in the course of his life-time (see F. Millar, “The Phoenician Cities: A Case-Study of Hellenisation,” *PCPS* 209 [1983]: 55–71 = *Rome, the Greek World and the East* III: *The Greek World, the Jews and the East*, chap. 2). Whether Ulpian was the descendant of Italian immigrants, or perhaps of a family which had gained the citizenship from Domitius Corbulo, he unmistakably identified himself with the long history of his *patria* (*Dig.* 50, 15, 1 *pr.*).

But he also saw his own avocation as a legal writer not only, like all the other jurists, as the product of a chain of tradition stretching back to the later Republic, but also as a pre-eminent form of *philosophia* (*Dig.* 1, 1, 1, 1):

The student of *ius* ought first to be aware from where the term *ius* derives. It is indeed called this after *iustitia* [justice]; for, as Celsus elegantly defines it, *ius* is the art of the *bonum* [the good] and the *aequum* [the just]. So whoever will call us *sacerdotes* [priests] will be right to do so. For we worship *iustitia* and profess the knowledge of the *bonum* and the *aequum*, distinguishing the just from the unjust and separating the lawful from the unlawful, seeking to make men good not only by fear of penalties but also by the stimulus of rewards, and thus pursuing, if I am not mistaken, a true *philosophia* rather than a feigned one.

Ulpian thus claims for jurisprudence a pre-eminent place in the intellectual universe of his time; and like his direct contemporary, Cassius Dio (71, 35, 1–2; 77, 19, 1), he found it difficult to resist implications as to the spuriousness of what currently passed as philosophy.

Yet legal writers, so central both to the character of Roman culture and (obviously enough) to the “legacy of Rome,” have attracted extraordinarily little attention from classicists, from students of Roman historiography, or even from ancient historians, for whom this gigantic body of material represents, or ought to represent, an almost inexhaustible treasure-house of economic and social history, and of ideologies, conceptions, and attitudes. What proportion of the total of

surviving classical Latin prose is represented by the million-odd words of the *Digest*, the earlier rescripts of the *Codex Justinianus*, the other remains of pre-Justinianic legal writing, and by the key text of them all, Gaius' *Institutes*?

Whatever criticisms, either of detail or of overall method, may be levelled at Honoré's work, the fact remains that his studies of the original composition, and the sixth-century excerpting and compilation, of the vast body of Roman legal writing have done for classicists and ancient historians what they have not felt moved to do for themselves. The limited perspective of Latin studies has meant that, for instance, the *Oxford Latin Dictionary* was designed to cover only the period up to about A.D. 200, thus ending just before the writings of Papinian, Ulpian, and Paul. *The Cambridge History of Classical Literature II: Latin Literature* (see the review article by R. G. M. Nisbet in *JRS* 73 [1983]: 175) duly exhibits a further profound limitation: not only a stopping point somewhere in the second century, but an overwhelming emphasis on poetry rather than prose (sixty-nine pages for Virgil, nine for Livy). As regards its treatment of the second century, Aulus Gellius, who embodies so much of the scholarly and antiquarian spirit of the age, earns two whole pages. But his much superior contemporary, Pomponius, whose *Enchiridion*, or *Handbook* (Lenel, *Palingenesia Iuris Civilis* II, cols. 44–52), represents the most systematic surviving historical survey both of Roman legal and constitutional institutions and of legal writers, merits not a word (see instead the long essay by Dieter Nörr, "Pomponius oder 'Zum Geschichtsverständnis der römischen Juristen,'" *ANRW* II.15 [1976], 497). But then, nor does their other contemporary, Gaius, the subject of Honoré's adventurous book of 1962; Gaius' *Institutes* is, of course, the only example of Roman legal writing which survives almost complete and does not have to be reconstituted from the excerpts selected, dispersed, abbreviated, perhaps interpolated, and arranged under headings in Justinian's *Digest*—a process most incisively, if again adventurously, studied by Honoré in *Tribonian* (1978), reviewed by Averil Cameron in *JRS* 69 (1979): 199.

It seems extraordinary that the *Digest* itself, whose text is based essentially on a manuscript written very close in time to the original compilation of the work, the Florentine codex of the late sixth or seventh century, should not have earned a place in the indispensable *Texts and Transmission: A Survey of the Latin Classics*, edited by L. D. Reynolds (1983). The only juristic writer who does is Gaius. But it is

very significant that this entry, a mere eleven lines, should fall well below the high standard of the rest. Firstly, it is of course correctly reported that the fifth-century palimpsest, the *Codex Veronensis*, which is the main witness to the text, is supplemented by a papyrus, *P. Oxy.* XVII 2103, of the second–third century, and a parchment, *PSI* XI 1182, of the fifth–sixth. But the former of these at least ought to have excited rather more comment. It is very rare indeed for us to have even a fragment of a Latin text which was written within a century or so of the original composition. More important still, the papyrus text (of parts of *Inst.* 4, 57 and 68–72) is fully compatible with the standard text, allowing for the scribal variations common to all types of text; so is the parchment (containing 3, 153–54, with, however, a substantial extra passage on *ercto non cito* [joint, undivided ownership], omitted in the codex from Verona; 3, 167–74; 4, 16–18). The conclusion has to be that the text as we have it, though it has suffered excision, is in essentials the text which was in circulation within a century of writing, which is as close as we are likely to get with any ancient author. For the significance of these papyri, see G. Diódsi, “The Importance of *P. Oxy.* XVII 2103 and *PSI* XI 1182 for the History of Classical Roman Legal Literature,” *Proc. XII. Int. Cong. Pap.* (1970): 113.

Secondly (to return to the entry in *Texts and Transmission*), there is no reference at all to the fact that excerpts of Gaius’ *Institutes* are also to be found in the *Digest* (parallel passages listed in Lenel, *Palingenesia* I, col. 242). There are certainly variations; but, for instance, the variations between *Inst.* 3, 135–37 and the excerpt of it in *Dig.* 44, 7, 2 are minimal, primarily singulars for plurals, or the tense of a verb. The text, as transmitted through wholly different channels, is substantially the same. Or seems to be; but that of course would raise the question of the textual transmission of the *Digest* itself. If the books of the *Digest* could only have seemed as important to Latinists as Augustan poetry, there would be half a dozen rival editions of each. As it is, we rely on Mommsen’s editio minor in the *Corpus Iuris Civilis* (1895), occasionally reverting to his two-volume editio maior of 1870. To the best of my knowledge no text-critical edition of an individual book, or group of books, of the *Digest* has been published since. The situation is different with Gaius’ *Institutes*, transmitted separately. This work has been repeatedly studied; see, for instance, H. L. W. Nelson, *Überlieferung, Aufbau und Stil von Gai Institutiones* (1981). But as for the writers whose works are known through the *Digest*, since Lenel’s great *Palingenesia Iuris Civilis* of 1887, which, in reassembling the surviving

elements of the works of each of the jurists, itself essentially followed Mommsen's printed text, there have been almost no critical editions of their works taken separately, and treated in the light of characteristic style, choice of words, sources of material, or patterns of thought, as would be the case with almost any author whose works are fortunate enough to be labelled as "literature." The most notable (partial) exception relates to two works of the Tetrarchic period, very probably by the same author; see D. Liebs, *Hermogenians Iuris Epitomae: zum Stand der römischen Iurisprudenz im Zeitalter Diokletians* (1964), and A. Cenderelli, *Ricerche sul "Codex Hermogemanus"* (1965). Otherwise there is the Teubner edition of the texts of the jurists of the early Empire by P. Bremer, *Iurisprudentiae Antehadrianae quae supersunt* II, 1–2 (1898, 1901), or the standard collections of the juristic works preserved entirely, or mainly, outside the *Digest*: Kuschke-Seckel-Keubler, *Iurisprudentia Antejustiniana* (1908–27), and the indispensable second volume of *Fontes Iuris Romani Antejustiniani*² (1940), by S. Riccobono et al. All these major works therefore leave untouched the manuscript tradition, the style, and the composition of the central works of Roman legal science, written in the Severan period and preserved, in so far as they are preserved, in the *Digest*. Detailed studies of any of their individual works remain rare, for instance C. Sanfilippo, *Pauli Decretorum libri tres* (1938), or B. Santalucia, *I "libri opinionum" di Ulpiano* I–II (1971)—but Honoré claims, against Santalucia, that linguistic analysis shows that this work is not by Ulpian.

Honoré has admittedly himself not gone back to the manuscripts and has based his work on the printed text. But, taking that text as his subject matter, he has performed the essential service of treating the jurists as writers of Latin. The methods used have proved acutely controversial, as we shall see, and the results are often highly speculative. But they are presented as such, even if in the excitement of engagement with his massive material, he sometimes claims more certainty than he should. If nothing else, his work must remind us that the authors concerned were not really very good subjects for Justinian's hopelessly self-contradictory scheme for a compilation from which all contradictions would have been removed. For, however close to government many of them stood, the classical jurists had written as academics expressing their own opinions and interpretations within different traditions. Far from being the monolith which Justinian wanted, the *Digest* is in fact a repertoire of varied and mutually contradictory opinions and approaches. Few

elements in the history of culture are more remarkable than the fact that this sixth-century repertoire of second–third century legal writing was subsequently made to serve as the basis of medieval and modern civil law.

Honoré's goal has been to rescue at least some of the writers whose works were excerpted in the *Digest* from the off-putting columns of the *Corpus Juris Civilis* and to restore them to life as individuals writing between the later second and the end of the third century. In doing so he has taken one step in their restoration to their real context, in the intellectual culture of the High Empire, the crisis of the Empire, and the Tetrarchy. Not the least of his services is to stress the continuity of jurisprudence which runs through these periods. A further objective has been to bring the imperial rescripts preserved (primarily) in the *Codex Justinianus*, within the same framework. He proposes, that is, to see these rescripts as the compositions of individual jurists, rather than of the emperors who nominally issued them: "to treat the composition of 'imperial' rescripts as a branch of legal practice" (*Emperors and Lawyers*, viii).

The entire project, as also in his *Tribonian*, depends on detailed analyses of style, an area in which the reviewer has no competence. Of the two works here discussed it is *Ulpian* which has raised a controversy of exceptional sharpness among Romanists. It may be sufficient now to indicate what it attempts to do, and what criticisms have been brought against it. It will then be possible to go back to the questions raised by the earlier book. Can it in fact be shown that emperors did not compose the rescripts which they nominally issued? If so, can we really identify those who did compose them? If we can, how does this conclusion bear on the question of the composition of other forms of imperial constitution (*decreta*—judgements in court; *epistulae*—letters, in Latin or Greek; *edicta*—edicts; *orationes*—speeches in the Senate)? If it was the *a libellis* (the grammatically odd term which describes the imperial official in charge of the *libelli*), or later the *magister libellorum*, who composed the answers to private petitions (*libelli*), who composed these other types of document, which might deal with a very similar range of legal issues?

In *Ulpian* Honoré sets out to do the following things. First, to review the known career of Ulpian, from his origins (if not necessarily his actual birth) in Tyre in the 160s to his violent death as praetorian prefect in 223. If too much time is spent struggling to make something of the notoriously treacherous references to Ulpian in the *Historia*

Augusta, no great harm is done. Ulpian may (see below) have been a *libellis* in 202–9; he himself on occasion reports having been present (*me adsistente*) at the *consilium* (council) of a praetor in Rome (*Dig.* 4, 2, 9, 3). Nothing else is known for certain until Severus Alexander in a rescript (*CJ* 8, 37, 4) records him as *Praefectus annonae, iuris consultus, amicus meus* (Prefect of the food supply in Rome, the jurist, my friend), on 31 March 222, some two weeks after his own elevation to the throne. Then Ulpian was briefly praetorian prefect before his death in the next year.

Secondly, Honoré argues, convincingly, that the form of the references to contemporary emperors (Septimius Severus and Caracalla) in Ulpian's work shows that nearly all of his enormous output (217 or 218 *libri* [volumes] in all on Honoré's calculation) belongs in the five-year period 213–17. In my view this has to be accepted: the emperor at the moment of writing is nearly always Caracalla ("Antoninus"), who is often also cited, in a variety of ways, along with his deceased father, Severus (e.g., "the divine Severus and our Emperor"—*divus Severus et imperator noster*; later, Honoré suggests, Caracalla moves to the form: "the Emperor Antoninus together with the divine Severus"—*Imperator Antoninus cum divo Severo*). No later emperor from Ulpian's life-time (Macrinus, Elagabal, or Severus Alexander) is mentioned by name, though Honoré suggests that Ulpian's programme of work in fact continued under the uncertainly legitimate rule of Macrinus in 217.

The notion of so enormous and concentrated a production leads Honoré into a series of wildly ingenious hypotheses about Ulpian's production programme, broken down into units within pre-planned stretches of time. This seems to me not so much improbable or unprovable as not worth the effort. It is enough to know that the bulk of his work bears the marks of being contemporaneous, that it came after the death of Papinian (whom Ulpian cites, alone of all his legal contemporaries, no fewer than 116 times) and that, whenever we date the *Constitutio Antoniniana* (Antoninus's, i.e., Caracalla's, constitution)—and possibly 212 is right after all—Ulpian's careful and massive exposition of Roman law was brought to fruition in the few years which followed it. Alone of the Severan jurists, in the surviving texts Ulpian explicitly refers to Caracalla's universal grant of citizenship (*Dig.* 1, 5, 17): "Those living in the Roman Empire became Roman citizens under the constitution of the emperor Antoninus." The quotation comes from Ulpian's *ad edictum* 22, which on Honoré's

scheme was written in 213. That perhaps does not matter so much as the fact that we thus know that Ulpian was writing in the consciousness of this historic step. It is no more than speculation that he wrote for the millions of new Roman citizens (*cives Romani*). But, as we shall see, the inhabitants of at least one provincial city certainly knew, and used, at least one of his works.

Thirdly, Honoré goes on to define the personal characteristics of Ulpian's style, or such features of it as are, in statistical terms, distinctive as against the styles of other legal writers. Since the method is admitted to have a strong subjective element, it may be sufficient here to give an example (p. 54): *proinde* (hence) as a conjunction occurs 212 times in the works of Ulpian, and at the most 4 times in other jurists. The marks of style thus identified are then used (chap. 4) to identify five works attributed to Ulpian which should be regarded as not by him: *Regularum libri VII*; *Regularum liber I*; *Opinionum libri VI*; *Pandectarum liber I* (or X); *Responsorum libri II*.

There then follows a concluding section on Ulpian as a writer, with particular attention to his use of earlier jurists; a sub-section on his imperial sources, that is, his citations of imperial constitutions, neatly demonstrates (p. 236) that such citations are absent from the earlier jurists (e.g., Labeo and Iavolenus) and rise steadily until we reach Ulpian and his contemporaries. It is, of course, what we would expect; but to my knowledge it has not been shown in such clear terms before (though G. Gualandi, *Legislazione imperiale e giurisprudenza I-II* [1963], remains indispensable). In this respect, as in others, Ulpian is broadly in tune with the attitudes of his time. That, of course, will only make it more difficult to assess how far and in what way it matters who actually wrote the private rescripts which were issued as from the emperor. The same issue arises in Honoré's final sub-section on Ulpian as a lawyer: not outstandingly original, admittedly, but with a distinctive sense of proportion and moderation, and also an emphasis on what was *utile* (useful), in stating how legal problems should be resolved. Here particularly, historians need to realize that we are listening to a personal voice and to private opinions. For instance Ulpian writes, in his *de officio proconsulis* (*On the duties of a proconsul*, i.e., a governor of a "public province"), in a way which is in a sense self-contradictory: "Nor is there anything in a province which is not dealt with by him [the proconsul]; but if there is a *fiscalis pecuniaria causa* (a financial case involving the emperor's treasury) which concerns the *procurator principis* (the financial official of the emperor),

he would do better not to concern himself with it" (*Dig.* 1, 16, 9 *pr.*). It is not a statement of the *law*, any more than is Ulpian's advice in the same work, of which more later, to observe normal precedence in the matter of the proconsul's entry to his province (1, 16, 4).

In his use of the concept of *utilitas* (utility) Ulpian again, as Honoré shows (p. 247), shares the attitudes of his contemporaries, Papinian and Paul. But he also shares the attitudes of the emperors of his time (or whoever wrote their *epistulae* [letters], as opposed to their replies to *libelli* [petitions]). This clearly appears (p. 244) in Ulpian's own quotation of the letter of Severus and Caracalla on acceptance of gifts (*Dig.* 1, 16, 6, 3): "But the proconsul will be under no obligation to abstain totally from *xenia* [gifts], but should impose a limit, so that he neither captiously refrains altogether nor greedily exceeds a due proportion of gifts. This is a matter on which the deified Severus and Emperor Antoninus laid down the norm most elegantly in a letter, of which the actual words are: 'As regards gifts, hear what we think. There is an old [Greek] proverb "not everything, nor all the time, neither from everyone." For it is truly *inhumanum* to take [gifts] from no one, but to do so without discrimination is most degrading and to take them all is most avaricious.'"

If one takes the broad lines of Honoré's approach, and disregards his enthusiastic pursuit of certainties which must be unreachable (and do not greatly matter), there is very much to be learned, above all in the extension of the range of Latin authors who can be studied and understood as individuals writing in a particular cultural setting. There is also an enormous further gain, a product of these two books taken together. The grandiose and impossible design of Justinian, that the *Digest* should be both a repertoire of the writings of the classical jurists and be edited so as to remove contradictions, led, reasonably enough, to generations of search for the editorial work supposedly done, in short to the wholesale "discovery" of interpolations, duly listed in the *Index Interpolationum*. There are certainly additions, abbreviations, and excisions, not to speak of variants which the texts of Gaius display (see above) quite independently of the work of Justinian's commissioners. But unless *all* of Honoré's statistics as to individual features in the style of the different jurists are to be rejected, the historian can now accept that what we read in the *Digest* does in essence reproduce the actual words of the jurists who wrote in the High Empire, battered but not re-written in the sixth century.

Once again the papyri will offer confirmation that this is indeed so.

In 1927, in vol. XVII of *Oxyrhynchus Papyri*, A. S. Hunt published the Greek text of a letter of Severus Alexander to the *koinon* (league of cities) of Bithynia (2104). It was fortunate that for once something relevant escaped him, and that he did not realize that the same letter appears in Greek in *Dig.* 49, 1, 25. He therefore read, independently from the *Digest* text, what is almost exactly the same text, but including the imperial titulature (edited out either by Paulus or the compilers of the *Digest*), with gaps which can be precisely filled from the *Digest* text, and with an extra sentence which the *Digest* omits. In 1975, in *Oxyrhynchus Papyri* XLIII, J. Rea published a second contemporary papyrus copy (3106), with some more of the additional sentence, and a version of the penultimate sentence of the *Digest* which is identical except that it offers *apagoreu* $\bar{\theta}$ (I forbid)—that is, the singular, as in the rest of the letter—for the plural *apagoreuomen* (we forbid). Paulus therefore quoted the text verbatim, and Justinian's compilers made no attempt to alter it (e.g., as regards the titles of the officials mentioned in the letter) to fit the conditions of the sixth century. But either Paulus or they abbreviated the imperial title, substituted a plural for a singular, and left out some material at the end. With those limitations, the text appears in the *Corpus Iuris Civilis* exactly in the form in which it circulated in the Roman provinces in the first half of the third century.

It is therefore reasonable to approach the juristic writings excerpted in the *Digest* with a view to style and vocabulary. It would be even more reasonable if the individual authors, or the *Digest* as a whole, had received the textual attention almost guaranteed to anyone who had the sense to write in verse. In default of that, Honoré has shown the way.

Among Roman lawyers the novelty of Honoré's approach has been generally recognized, and his methods and, up to a point, his conclusions broadly accepted by many. See, for instance, Alan Rodger, "Behind the Scenes in Roman Law," *Oxford Journal of Legal Studies* 3 (1983): 382, reviewing *Tribonian, Emperors and Lawyers*, and *Ulpian* as a group. He does note, however, that Honoré's method may not take full account of quotation or paraphrase of jurist A by B, or of the different purposes for which Justinian's compilers may have selected the (relatively limited) extracts of writers other than Ulpian. Honoré's *Ulpian* has also been favourably reviewed by Detlef Liebs, in *Gnomon* 56 (1984): 441, and by P. Birks in *Irish Jurist* 18 (1983, app. 1985): 151–81, the fullest available exposition, and defence, by a third party,

of Honoré's methods and results.

None the less, it would be wrong to conceal the fact that enthusiasm and sense of conviction have led him into very detailed arguments and positive assertions which have aroused more than vigorous criticism in juristic circles. Note, for instance, Alan Watson in *TLS*, 16 February 1983, p. 164, "poking fun," as he was later to put it, at the excessive claims, subjectiveness, and biographical/psychological elements in *Ulpian*. The expression quoted comes from a further piece, with a reply by Honoré, in *Rechtshistorisches Journal* 3 (1984): 286–305. The most substantial point here, as in an earlier review by Watson, really concerns the holders of the office *a libellis* under Caracalla (below). The most important critique of Honoré's work known to me, however, is the review of *Ulpian* in *Michigan Law Review* 82 (1984): 856, by B. W. Frier. Its essential point is that the nature of Honoré's stylometric work is itself misconceived: study of style should embrace its overall features (length and structure of sentences, word order, and so forth); to concentrate on individual usages which are *distinctive*, as against other comparable authors (*non*-legal authors, Frier notes, are not adduced for comparison), is to take a very partial and potentially subjective view; it may well relate directly to only a very small percentage of an author's text. Consequently, these features are also poor measures of authenticity or otherwise. Frier's conclusion is that the boldness and subjectivity of his methods and intuitions mean "that much of Honoré's effort was not worthwhile. The book has intermittent flashes of genuine lucidity, even brilliance, but it must always be treated with caution. Would that the matter were otherwise." Essentially similar points are made by W. M. Gordon in *CR* 98 (1984): 232: "[I]t will not be the definitive work on Ulpian, if such a work be possible. If anything it raises more questions than it solves." As regards the methods of stylistic analysis which Honoré chose to employ, it seems clear that we have to conclude that they were not the best ones available.

Chapter 8 of *Ulpian*, "Secretary *a libellis*," takes up the central theme of *Emperors and Lawyers* as a whole, namely the reclaiming for the jurists of the texts of "imperial" private rescripts, issued in reply to *libelli* (petitions). The first thing that might strike one is the placing of this chapter in the book. Ulpian's distinctive style is defined, as we saw, in terms of a vast corpus of writing undertaken in 213–17. Honoré rejects (pp. 139–41) the theory that all or part of the eighty-one-book *ad edictum* was first written under Septimius Severus, that is,

before 211, and then revised under Caracalla. On Honoré's view (p. 26) Ulpian had written nothing before 213 except five books of the *ad edictum*, perhaps in early 211, and previous to that a one-book work *de excusationibus* (*On exemptions*) (Lenel, *Palingenesia* II, cols. 899–903). But in fact there are problems here, which deserve more attention than they receive from Honoré. The text of this work *de excusationibus* is in fact entirely made up of a sequence (nos. 123–70) of items in the *Fragmenta Vaticana*, concerned with this topic and written under *imperatores nostri* (our emperors), presumably Severus and Caracalla (198–211). None of them identifies either the author or the title of the work from which they came. Modestinus (*Dig.* 27, 1, 13, 2), does quote Scaevola, Paulus, and Ulpian for a provision found in *FV* 156; and, to complete our confusion, some of the items in *FV* 123–70 reappear verbatim later in *FV* attributed explicitly to Ulpian's *de officio praetoris tutelaris* (*On the duties of the praetor in charge of matters concerning guardianship*) (e.g., *FV* 185 = 240). But this same extract is attributed in *Dig.* 27, 1, 7 to the *liber singularis excusationum*.

This long-debated question, which is not within the competence of the reviewer, is mentioned here only to underline a crucial problem. What do we know of Ulpian's standing as a jurist, of any written works of his, or of his literary style, in the period before, or even during, that in which he is claimed to have acted as a *libellis*, namely 202–9? Honoré's identification of Ulpian as the *a libellis* of those years rests on finding stylistic characteristics of Ulpian's works written in 213–17 in the "imperial" rescripts of 202–9. Though there is evidence that Ulpian gave *responsa* (official replies to petitions), and may also have published two books of *responsa*, we know nothing of his training, activity, or standing as a lawyer before 202. We saw earlier how he quotes with approval, and absorbs the attitudes of, a letter of Severus and Caracalla on moderation in accepting gifts. If we are to go in for intellectual biography, might we not ask whether, if Ulpian was a *libellis* in 202–9, it was not there that he learned his characteristic style and approach, which came to be expressed in the next decade in his own independent juristic output?

But do we in fact have secure evidence to show that he was a *libellis* then, or that any other individual, whether a known juristic writer or not, was a *libellis*, or *magister libellorum*, at any other specific period? If we have such evidence, what are the implications of this conclusion for how we read the surviving corpus of Roman law? As regards the legislative activity "of" emperors (i.e., in this case, the

innumerable legal rulings issued by them, or in their name, in response to private *libelli*), how much does it matter who composed the actual sentences which made up the private rescripts?

Honoré's basic technique as regards the question of authorship is, as throughout, the identification of distinctive marks of style. In pursuing this objective, he has, however, taken a more basic and fundamental step, whose importance transcends all the individual criticisms concerned with method, overbold hypotheses, or unsound conclusions. It should be stressed first just how extensive and how significant the material concerned is. Apart from later material, continuing to the reign of Justinian himself, the *Codex Justinianus* incorporates, arranged under different headings, about 1,500 imperial constitutions of the period 193 to 305 which show every sign of being addressed to private persons, and nearly 1,000 more which are probably so addressed. In each chapter they are arranged in chronological order, with the name(s) of the emperor or emperors, and nearly always with the consular date, the month and the day. Beyond that, others are preserved in the *Digest* and in pre-Justinianic legal collections and on inscriptions and papyri. A notable feature of this vast material is that nearly half belongs in the period of the Tetrarchy, a concentration which derives in the first instance from the compilation of the *Codex Gregorianus* of 292 and the *Codex Hermogenianus* of 295. Honoré does not draw attention to a very distinctive aspect of the Tetrarchic private rescripts, namely that nearly a third of them are addressed to women. For this material, which surely deserves a place in Women's Studies, see L. Huchthausen, "Herkunft und ökonomische Stellung weiblicher Adressaten von Reskripten des *Codex Iustinianus* (2. und 3. Jh. u. Z.)," *Klio* 56 (1974): 199; "Zu Kaiserlichen Reskripten an weibliche Adressaten aus der Zeit Diokletians (284–305 u. Z.)," *Klio* 58 (1976): 55; the recent book by Jane F. Gardner, *Women in Roman Law and Society* (1986), now provides just the background which is needed to set these rescripts in context. Another notable group of addressees is made up of private soldiers: for these, as regards the period up to Severus Alexander, see J. B. Campbell, *The Emperor and the Roman Army* (1984), chap. 6.

The historical and legal importance of this material is beyond all question. The essential step taken by Honoré has been to reassemble the individual texts in chronological order, and to read them *as* texts, as sets of words and sentences which must in each case have been

composed by some individual. They then take their place as part of the legal literature of their time, and potentially (as above) as expressions of the wider Latin culture of the Empire. Like the writings of the jurists, they await the attention of textual critics and (except for Honoré) of students of Latin.

Honoré's conclusions, set out in advance in *JRS* 69 (1979): 51, are that reading in chronological sequence does show significant breaks in style which do not coincide with changes of emperor. The texts, as texts, were therefore composed by persons other than the emperors. Secondly, some though not all of the writers can be identified with known legal writers, or with the writers of known legal works whose authorship is uncertain. The most important suggested identifications are, firstly, Papinian, *a libellis* in 194–202; Ulpian (as above), 202–9; and Hermogenianus (Hermogenes?), 293–95, who duly incorporated “his” rescripts in his *Codex Hermogenianus*, and was also the author of the *Iuris Epitomae*.

Is all this true, and how much does it matter? Firstly, it seems to me beyond dispute that Honoré has shown that not merely the vocabulary but the way of setting out replies and justifying the conclusion to the petitioner changes in significant ways in successive periods. The important result is, once again, that these replies, as preserved in the *Codex Justinianus* and elsewhere, though truncated and abbreviated, do, within the reasonable limits which manuscript transmission itself imposes, represent the words issued by, or in the name of, the emperors. Justinian's compilers, here too, selected what they wanted from texts; but they did not re-write them. The implications with regard to texts far outweigh any possible conclusions as to the role of individuals.

Should we presume that the role of the *a libellis* was of crucial importance in the composition of these texts? The most significant evidence is *Dig.* 20, 5, 12 *pr.*, a passage of Tryphoninus in the eighth book of his *Disputationes*: “[T]he emperor replied, when Papinian was handling the petitions, that a creditor can buy the surety from a debtor.” We thus know at least that Papinian did handle the *libelli* for Severus. There is no reliable explicit evidence of this for any other jurist, until we come to Aurelius Arcadius Charisius, whom *Dig.* 1, 11, 1 identifies as *magister libellorum*, before a quotation (of an antiquarian-historical kind) from his *Liber singularis de officio praefecti Praetorio* (A single book on the duties of the praetorian prefect). Honoré in his final table of identifications, though not earlier, suggests affinities

between Charisius' works (Lenel, *Palingenesia* I, cols. 57–60) and the secretaries no. 17/18 or 19 (280s and early 290s). But D. Liebs in his review article, "Juristen als Sekretäre des römischen Kaiser," *ZSS* 100 (1983): 485, broadly accepting Honoré's results, in this instance goes further, and proposes (pp. 503–4) that Arcadius Charisius is indeed no. 19, secretary in 290–91.

Tryphoninus' allusion certainly suggests that Papinian's handling of the *libelli* was relevant to the content of Severus' reply. But many basic problems remain. Was there in fact regularly only one holder of the office, that is to say, "the" *a libellis* or *magister libellorum*? Another holder of the office, Aelius Coeranus, is attested between 200 and 205 (the inscription is now *I. K Ephesos* VI [1980], no. 2026) in a letter of Caracalla. Perhaps (Honoré, p. 145) he was specifically secretary to the junior Augustus. And as such wrote no rescripts at all? And what of the list of *apokrimata* (rescripts) put up when Severus was in Alexandria in March 200 (Greek texts in *SB* VI 9526)? Was Papinian there, and did he compose *all* private rescripts, including these, or was the job shared out, perhaps according to subject matter or importance? Not all *libelli* concerned matters of Roman law. And what of times when two *Augusti* were functioning in different places? Honoré appears to assume that even in the Tetrarchy there was only one *magister libellorum*, to whose pen all the rescripts of any one period can be attributed. For rather obvious reasons, one *magister libellorum* could only be with one emperor (always Diocletian?) at one place. As T. D. Barnes's extremely useful chronologies of imperial movements under the Tetrarchs show (*The New Empire of Diocletian and Constantine* [1982], 47–64), most private rescripts do emanate from wherever Diocletian was. But some seem to reflect the movements of Maximian. The question remains open. But see now S. Corcoran, *The Empire of the Tetrarchs: Imperial Pronouncements and Government, AD 284–324*² (2000), 75–94.

In this period, too, there are problems about how to identify, in personal terms, the origins of the thoughts and attitudes which went into "imperial" pronouncements. Take, for instance, Honoré's secretary no. 17/18 (A.D. 284–87 and 289–90), who, Honoré suggests (p. 115), may have been the compiler of the *Codex Gregorianus*: "A Roman patriot, he firmly rejects institutions foreign to Roman law, such as polygamy, the adoption of brothers, and the public disherison of sons [*apoceryxis*]" (p. 110). But might not the Roman patriot really have been Diocletian himself? Real problems arise when Honoré

comes back later to the same secretary (p. 115): “His outlook, with its compound of simplicity, religious feeling, and patriotism, is perhaps best seen in an edict of 295 on incest, composed of course after he had left the office *a libellis*.” Never mind that the official was now called *magister libellorum*; the problem is that if a similar “voice” can be heard in *different* forms of imperial pronouncement, the formal connection between office and composition lapses. If the voice is the *criterion* of identity—that is, if no. 17/18 must have been called out of retirement to write this edict (*Coll.* VI, 4, 1), the argument becomes dangerously circular. It is true (and very odd) that we at no time hear of any officials concerned with imperial edicts (and *someone* must have composed, for instance, the preamble of the Prices Edict of 301). But there was certainly a *magister epistolarum*. It would be stretching ingenuity rather far to suggest (not that Honoré does) that no. 17/18 came out of retirement again in 301 to write the letter to the proconsul of Africa about the Manichees who had appeared there (for the date, Barnes, *New Empire*, 55), a missive which embodies a very similar mixture of simplicity, patriotism, conservatism, and attachment to Roman religion (*Coll.* XV, 3, 1). At all events, it was not the *magister libellorum* who two years later initiated the Great Persecution.

In spite of these doubts, I am still convinced that Honoré’s reading of this mass of rescripts in chronological order does show that different voices and styles made themselves felt at different periods, and have survived not merely the normal processes of transmission but the efforts of Justinian’s compilers. I am not as convinced as he is that we understand the process by which these texts were generated at court. The notion of a “draft” is essential to his whole conception: that is to say, an answer was prepared by whoever handled the petitions (*agebat libellos*) and was subsequently assented to by the emperor, perhaps in the form of an actual subscription (*scriptio*) or authentication. But it is equally possible (for instance) that the emperor himself dictated either the bare substance of a reply (i.e., whether it should be negative or positive) or even a “draft,” which was then written up. We do not know, and it is dangerous to import a bureaucratic model from modern procedures.

The notion of “drafts” already prepared for imperial attention, or notional attention, is also central to Honoré’s conception of an overlap period between secretaries—that is, that an incoming secretary would find “drafts” already on file, which he would use and adapt for a time

until gaining the confidence to write texts which were fully his own. This again is pure hypothesis. It is also one which may bring out all too clearly the dangers of subjectivism, or of pressing the evidence to say what it does not really say, which haunt Honoré's method. See, for instance, Alan Watson's discussion (*Tijdschrift voor Rechtsgeschiedenis* 50 [1982]: 409, on pp. 411–12) of Honoré's argument based on a switch in the course of 213 from the locution *modo si* (only if) (194 to February 213) to *si modo* (if only) (used by secretary no. 5, of late July 213 to 217). Firstly, there is no clear statistical pattern to the use of these phrases in the writings of the putatively relevant authors (Papinian, Ulpian, Arrius Menander), as preserved in the *Digest*. Secondly, the alleged date of this verbal shift does not fit the facts, for *si modo* in fact appears earlier, namely in *CJ* 5, 16, 3 of 4 March 213. Such uncertainties, combined with the purely hypothetical use of drafts, and with the further hypothesis of the use by Secretary B of drafts written by Secretary A, mean, once again, that there is no reason, and no need, to follow Honoré in trying to push the evidence further than it will in fact go.

None the less, Honoré has taken it a long way. If, ideally, the entire work of assembling marks of style should be done again more systematically, without the dangerously subjective bias in favour of picking out *distinctive* marks of style, it has surely been adequately demonstrated that historians and (if they could be persuaded to take an interest) Latinists can feel with confidence that they have before them something very close to the *ipsissima verba* of the great jurists of the classical period. How, and by what persons, or combination of persons, imperial private rescripts were composed, is still a difficult question. But at least one very distinct personality surely emerges from behind the anonymity of the office of *libelli*, namely Honoré's secretary no. 20, Hermogenianus, the major legal systematizer of Diocletian's reign, who "must count as one of the leading Roman lawyers" (*Emperors*, 119). Viewed from a different angle, the vast mass of Tetrarchic rescripts offers a remarkable and largely untapped source for social history.

Honoré's work on private rescripts should lead to further, and improved, stylistic studies of imperial *epistulae*, seen as letters (see, e.g., P. Cugusi, *Evoluzione e forma dell'epistolografia latina* [1983], with a brief glance, chap. 7, at imperial letters); of *edicta* (see M. Benner, *The Emperor Says: Studies in the Rhetorical Style in Edicts of the Early Empire* [1975]) and of *orationes*, above all those in the Senate; R. J. A.

Talbert, *The Senate of Imperial Rome* (1984), now provides the necessary framework. All of these were, or could be, forms of legislation. Study of the answers to *libelli* is not enough of itself to rescue the making of law from the unprofessional hands of the emperors. (For a further discussion of this question, see F. Millar, “L’Empereur romain comme décideur,” *Du pouvoir dans l’antiquité: mots et réalités*, ed. C. Nicolet [1990], 201, and in the Afterword [pp. 636–52], in *The Emperor in the Roman World*² [1992]).

As for the jurists themselves, it is perhaps time for them to be rescued from the exclusive attention of their modern counterparts and studied as figures in the complex cultural landscape of the Empire. For a start, note, for instance, V. S. Ussani, *Valori e storia nella cultura giuridica fra Nerva e Adriano. Studi su Nerazio e Celso* (1979), F. Casavola, *Giuristi Adrianei* (1980), and a whole series of studies in ANRW II.15 (1976), including G. Crifò, “Ulpiano. Esperienze e responsabilità del giurista” (pp. 708–85). But beyond the question of what values and ideas, and what methods of expression and argument, the jurists brought to the writing of their extensive works, there remains the wider question of their standing as individuals and of the dissemination and use of their works. Much can still be learned from the late W. Kunkel’s admirable book, *Herkunft und soziale Stellung der römischen Juristen*² (1967): note for instance his no. 69, M. Cn. Licinius Rufinus, described on an inscription from Thessalonica as *kratistos* (*egregius*) and as *lamprotatos* (*clarissimus*) consular (*hypatikos*) and the greatest expert in law (*empeirotatos nomōn*, equivalent to *iuris peritissimus* in Latin) (IG X, 2 [1], no. 142; a new inscription from his native city, Thyatira, now reveals his remarkable career though equestrian and senatorial posts. See F. Millar, “Roman Law in the Greek East: The Dossier of M. Cn. Licinius Rufinus,” *JRS* 89 [1999]: 90 = chapter 20 in this volume). The traces of the circulation of juristic works in Latin, as reflected in papyri from Egypt, are also highly suggestive; see in brief R. Cavenaille, *Corpus Papyrorum Latinarum* (1955), nos. 70–101; R. A. Pack, *Greek and Latin Literary Texts from Greco-Roman Egypt* (1965), nos. 2953–93.

The most remarkable evidence for the standing of a jurist and for the use which could be made of his works relates, however, to Ulpian himself. It is an inscription from Ephesos (*JÖAI* 45 [1960]: Beibl: 82, nr. 8; *AE* 1966, 436; now *I. K Ephesos* II [1979], no. 217), containing part of a letter in Greek in which the writer (evidently a proconsul) urges the city to collect and present to him the evidence bearing on its

privileges (*dikai* *ὀ* *mata*). Louis Robert, *Rev. Phil.* 41 (1967): 46, quoting an opinion, never to be published, of William Seston, may well have been right to assign the letter (known only from notebooks) to the Tetrarchic period. At all events the proconsul tells the city to put together both “the things said on the basis of ancient *nomoi* [laws]” in the *de officio* of Ulpian and elements from imperial constitutions (*diataxeis*) and the decrees of the Senate. The reference is, beyond all question, to Ulpian’s *On the duties of a proconsul*. Ulpian’s cautious respect for the social norms of his time comes out nowhere better than in the passage from this work (*Dig.* 1, 16, 4) where he advises a proconsul to take care to arrive first at whichever city in the province has the established precedence: “Certain provinces even observe this custom, that the proconsul should arrive by sea, as in the case of Asia, and indeed to the extent that our Imperator Antoninus Augustus [Caracalla] replied to the request of the Asiani that the proconsul had the obligation to reach Asia by sea and, of the *metropoleis*, to make his arrival first in Ephesos.” In Ephesos at least Ulpian’s fame was to be secure.

Notes

* First published in *JRS* 76 (1986): 272–80 as a review of T. Honoré, *Emperors and Lawyers* (1981) and *Ulpian* (1982). Since so much is said above about the relative inaccessibility of the classical juristic writings as excerpted in Justinian’s *Digest*, and the relatively little attention which they have received from students of Latin prose or of Roman history, it is all the more relevant to draw attention here to the publication of *The Digest of Justinian*, Latin text edited by Theodor Mommsen with the aid of Paul Kueger; English translation edited by Alan Watson, I–IV (Philadelphia: University of Pennsylvania Press, 1985). It should be noted also that in the interval Honoré has produced very important, and heavily revised, editions of both works: *Emperors and Lawyers*², with a *Palingenesia of Third-Century Imperial Rescripts, 193–305 A.D.* (1994); and *Ulpian: Pioneer of Human Rights* (2002). The review as re-printed here remains that of the first edition of each.

CHAPTER TWENTY

The Greek East and Roman Law: The Dossier of M. Cn. Licinius Rufinus



For Tony Honoré, *iuris peritissimus*

Introduction

In A.D. 530 the emperor Justinian gave orders that a commission of lawyers should take the 1,500 *libri* (volumes) containing the works of the classical Roman jurists and condense them into a single work, the *Digesta* or *Pandectae*. His purpose was that the result should be a coherent whole, stripped of repetition and contradiction. Fortunately for us, what they actually produced was something quite different, which belongs to a type which is familiar to all modern students of the ancient world: a source book. For what the commission in fact did was to arrange the work by topics, and under each topic to assemble a series of examples of legal reasoning extracted from the surviving works of classical jurists. Nearly all of these jurists had worked in the Antonine and Severan age, with a few belonging to the period of the Tetrarchy.

It has often been supposed in the modern world that the texts which were thus excerpted and re-arranged really were also mutilated, corrected, or interpolated in pursuit of Justinian's self-contradictory ideal of using the academic products of a major intellectual movement—already three or four centuries in the past—devoted to debating the principles and details of Roman law, but of then reducing them to neat conformity with each other. But in fact no such conformity was achieved. In no real sense is the *Digest* a code of law; on the contrary, it is a collection of varying opinions on points of law. Moreover, modernization of the texts to fit the institutions and the public vocabulary of the Justinianic period simply was not carried out. So the texts assembled in the *Digest* reflect with great vividness and accuracy the world of the High Empire of the second and third centuries, with *proconsules* and *procuratores*, *provinciae*, Latin-speaking cities called *civitates* or *res publicae*, and Greek-speaking *poleis*.

The extracts assembled in the *Digest* also kept the names of their

original authors, the titles of their works, and very often the book numbering within those works. Moreover, since the jurists had very frequently referred to rulings by past and present emperors, as well as to each other's works, it is possible to arrive at a quite precise chronology of most of the individuals and their works. Thus, to give only the most obvious example, the study of Ulpian by Tony Honoré, whose work is fundamental to everything in this chapter, showed that his truly gigantic output of writing, of which some 300,000 words survive in the *Digest*, was all very largely composed under Caracalla (A.D. 211–17).¹

Domitius Ulpianus happens also to be one of the very few jurists who alludes explicitly to his own local origins: he came from the ancient Phoenician, and then Greek, city of Tyre, which had become a Roman colony only in his own life-time.² In other words, the most fully preserved corpus of Roman juristic writing by a single author, all of it in Latin, was in fact the work of a man who came from a Greek city. We are presented with one of the most profound aspects of that process of integration which Woolf has called “becoming Roman, staying Greek.”³

Faced with the Justinianic re-arrangement of a vast corpus of earlier academic writing into a massive source book of legal reasoning in Latin, it was an obvious, if extremely labourious, task for a modern scholar to re-assemble the excerpts under the names of their authors and their works (and book numbers), thereby producing by far the largest coherent body of surviving classical Latin prose (along with one work by Herennius Modestinus which had been written in Greek, of which more below). This was the feat performed in Lenel's *Palingenesia*, published in 1889.⁴ In it, a mere two pages suffice for the seventeen surviving excerpts of the *Regulae* (*Rules*) (or *Regularum Libri*) of Licinius Rufinus, in twelve or thirteen books. One of the passages quoted, however, serves to date the work, for it too was written under “Imperator Antoninus,” most likely “Caracalla” (A.D. 211–17) but possibly “Elagabal” (A.D. 218–22), whose actual name was also “M. Aurelius Antoninus.”⁵ We also see Licinius Rufinus elsewhere in the *Digest* as one of a number of jurists who consulted the great Iulius Paulus; Paulus' replies to them (or in this case Rufinus' query) were quoted verbatim in his twenty-six books of *Quaestiones* (*On legal problems*).⁶ The alleged facts of Paulus' career largely depend on the *Historia Augusta*, but there is no doubt that he was a contemporary of Papinian, and was one of the major jurists of the Severan period, and

also gave legal advice at cases heard by the emperor. Although in his case there is no documentary evidence for his origins, and he does not speak of them himself, the form of his name has suggested that he might have come from a provincial family which had acquired the Roman citizenship in the first century and was perhaps from the Greek East.⁷

Nothing in the name of Licinius Rufinus, as preserved in the *Digest*, gives any hint of a particular local origin, still less of roots in the Greek world. So, for instance, in the first edition of the *Prosopographia*, published in 1897, no connection is made between the entry on him, derived from the *Digest*, and that on the “M. Cn. Licinius Rufinus,” described as “the *clarissimus consularis* and *amicus* [friend] of the Emperor,” who is honoured on two Greek inscriptions from Thyatira in Lydia (nos. 1–2 below).⁸

The subsequent unfolding of a much fuller picture of the professional expertise, the public role, and the career in imperial service of M. Cn. Licinius Rufinus is one small aspect of the way in which, in the nineteenth and twentieth centuries, we have gained an incomparably more detailed and vivid “image,” or “representation,” of the Roman Empire, as refracted through the epigraphy of the Greek cities. Whether we are talking of the institutions of the imperial cult, of the spread of the Roman citizenship, of the workings of local and provincial government and local self-government, of embassies to emperors and governors, or of equestrian or senatorial office-holding, the Roman—or perhaps better Romano-Greek—Empire presents itself before us now in a way which was hardly imaginable even 100 years ago. All that we almost always lack still is those actual visual representations, in the form of statues, which were put up to honour the dignitaries who were the subject of the language of commemoration, in what Lendon has recently called the “empire of honour.”⁹

Literally thousands of individuals can now be (in a metaphorical sense) “seen” through the repetitive and often stereotyped language of honorific inscriptions. But there can be few whose record as now revealed offers us a more powerful conception of the Severan empire than does the dossier of Licinius Rufinus. Thus the relevant volume of the second edition of the *Prosopographia*, published in 1970, already presented a much enriched documentation of his public role, based on inscriptions both from Thyatira (nos. 1–3 below) and from two cities in Macedonia, namely Beroea and Thessalonica (nos. 4–5 below).¹⁰ In

particular, it was no. 4 which showed that the Licinius Rufinus of the inscriptions was a jurist, and hence could be identified with the author known from the *Digest*. But now a new and far more detailed inscription from Thyatira (no. 6), published in 1997, in exemplary style, by Herrmann, serves to provide us with a quite new window on the period.¹¹ The dossier provided below will begin with the longer-known inscriptions from Thyatira, all recently re-edited by Herrmann in *Tituli Asiae Minoris*, in the volume on north-west Lydia,¹² then move to the two texts from Macedonia, and come back finally to the truly remarkable new career inscription from Thyatira. The purpose of the dossier is only to collect and translate the texts as published, and to offer some historical comments, not of course to re-edit the inscriptions.

The Inscriptions of Licinius Rufinus

1. Thyatira. TAM V.2, no. 984 (IGR IV, no. 1215).

Ἀγαφῇι τύχηι.

Μ. Γν. <Λ>ικίν. Ρουφ[ε]ῖνο[ν],
[τ]ὸν λαμπρότατον ὑπα[τι]κόν,
κτίστην καὶ εὐεργέτην τῆς

5 πατρίδος, φίλον τοῦ Σεβ., <Γ.>Πε[ρ.]
[Α]ὐ[ρ.] Ἀλέξανδρος, ἀρχιερε[ὺ]ς
τοῦ σύνπαντος <ξ>στοῦ διὰ
<β>ίου, ξυστάρχης καὶ ἐπ[ὶ] βαλα-
νεῖ[ω]ν τοῦ Σεβ. καὶ <ἰ>ερεὺς το[ῦ]

10 προπάτορος θεοῦ Ἡλίου Πυθί-
[ο]ν Ἀπόλλωνος <Τ>υριμναίου,
τὸν ἑαυτοῦ καὶ πάσης τῆς πό-
λεως εὐεργέτην.

To Good Fortune

[To] M. Gn. Licin(ius) Rufinus, the the *clarissimus consularis*, founder and benefactor of his native city, friend of the Emperor, G. Per(elius) Aur(elius) Alexander, High Priest of the whole athletic association for

life, official of the association and in charge of the Emperor's baths, and priest of the ancestral god Helios Pythios Apollon Tyrimnaios, [gave honour as] his personal benefactor and that of the whole city.

This inscription reveals a prominent local figure who also enjoys a very high status within the imperial system, as someone who is both consular rank and an *amicus Caesaris* (friend of Caesar). But it neither reflects any specific offices held by the Licinius Rufinus concerned, nor would, as such, serve to identify him with the jurist known from the *Digest*. Nor is there any explicit mention of the date. There is, however, an (approximate) implicit dating, since G. Perelius Aurelius Alexander is recorded in *IGR* IV, no. 1251 = *TAM* V.2, no. 1018, as having been on an embassy on behalf of Thyatira to the emperor M. Aurelius [Antoninus] (erased) Pius Felix Augustus, that is, "Elagabal" (A.D. 218–22). Jones has recently suggested that this man should be identified with the pancratiast named as "Alexander" who is represented on a mosaic from Ostia.¹³

2. Thyatira. *TAM* V.2, no. 985 (*IGR* IV, no. 1214).

Μ. Γν. Λικίνι[ον 'Ρο]υφεί-
νον, τὸν λαμπρότα-
τον ὑπατικόν, Μ. Αὐρ.
Βάσσος, ἵππικὸς ἀπὸ
5 χειλιαρχιῶν, τὸν ἐαυ-
τοῦ εὐεργέτην.

(To) M. Gn. Licinius Rufinus, the *clarissimus consularis*, M. Aurelius Bassus, of equestrian status, *ex-tribunus*, [gave] honour as his personal benefactor.

The inscription adds nothing further to our image of Rufinus (and indeed omits any allusion to his status as *amicus Caesaris*), except in so far as it places him in relation of marked superiority to another man, also evidently from Thyatira, who had also entered imperial service but had remained at a lower level. There is no explicit indication of

date, but the expression ἀπὸ χειλιαρχίων, implying a formal status attaching to ex-holders of the rank of *tribunus militum*, would strongly tend to suggest the third century.¹⁴

3. Thyatira. *TAM* V.2, no. 986 (*IGR* IV, no. 1216).

Μ. Γναῖον Λικίνιον
 Ρουφείνον, τὸν λαμπρότατον
 ὑπατικόν, φίλον τοῦ
 Σεβαστοῦ, κτίστην
 5 κ(αὶ) εὐεργέτην τῆς
 πατρίδος
 οἱ βυρσεῖς.

[To] M. Gnaeus Licinius Rufinus, the *clarissimus consularis*, friend of the Emperor, founder and benefactor of his native city, the tanners [gave honour].

The corporation of tanners in Thyatira again stressed Rufinus' role as a local benefactor. The distinctive form of the name, with its two *praenomina*, makes it certain that this is the same person as in 1 and 2. There is no explicit or implicit indication of date.

Two further inscriptions from Thyatira, TAM V.2, nos. 987 and 988 (IGR IV, nos. 1217 and 1218), honour the son of our Licinius Rufinus, without saying enough to deserve reproduction here.

4. Thessalonica. IG X.2(1), no. 142.

Ἀγαθῇ τύχῃ.	τον καὶ ἐν-
[. . .]	πειρότατον
Λικίννιον	10 νόμων ὑ-
Ρουφείνον,	πατικόν,
5 τὸν κράτι-	Κλαύδιος
στον καὶ	Μένων τὸν
λαμπρότα-	εὐεργέτην.

To Good Fortune

[To] Licinius Rufinus, the *egregius* and *clarissimus*, and most versed in the laws, *consularis*, Claudius Menon [gave honour as] his benefactor.

It is this inscription which, while reproducing Rufinus' name in yet a different style and spelling, repeats the representation of his status as a consular, but also adds the crucial description of him as "most versed in the laws" which allows the identification of this man with

the jurist known from the *Digest*. Again, while there is no explicit dating, the stemma provided in IG X.2(1), under no. 185, shows that Claudius Menon was a high priest (*archiereus*) in the city, and also a *Makedoniarches* (president) and *hierophantes* (priest) of the *koinon* (league of cities) of Macedonia, in the middle of the first half of the third century. The broad chronological setting is thus secure; but what services Licinius Rufinus might have rendered to any individual or institution in Macedonia is left unclear.

Since it is certain that the approximate date is the first half of the third century, the use of the two separate (and formally speaking incompatible) status designations for Licinius Rufinus is of some interest. Here, as in the previous inscriptions, he appears as a

ὙΠΑΤΙΚΟΣ, namely *consularis*, that is someone who has either held the office of consul or has been granted the status of ex-consul by the emperor (but here too, as in no. 2, his status as *amicus Caesaris* does not appear). As a man of consular status, he will necessarily have enjoyed senatorial rank, and hence will have been designated in Latin *vir clarissimus*, of which the established equivalent in Greek was, as

here, λαμπρότατος. These two terms go together in all four of the inscriptions so far listed. But in this instance there is an

oddity, for Rufinus is described also as κράτιστος. Literally this means simply “most powerful,” but more relevantly it was the established equivalent of *egregius*, which by now was the standard status term used in the mid-second century and after for middle-ranking equestrian officials.¹⁵ So, either this expression is used loosely (which is perfectly possible, as complete consistency is not to be expected in local honorific texts mirroring the constantly evolving imperial hierarchy), or it is an indication that Licinius’ prominence as an expert in the laws had extended over a period in which he had risen from equestrian to consular rank. As we will see, the remarkable new inscription listed below as no. 6 attests exactly that. It is the next inscription, however, which suggests why he will have been honoured in Macedonia as well as in his native city.

5. Beroea. *Ann. Épig.* 1949, no. 341, from L. Robert, “Un juriste romain dans une inscription de Beroia,” *Hellenica* 5 (1948): 29.

Ἀγαθῇ τύχῃ. [Κατὰ τὸ δόξαν τῶ] λαμπροτάτῳ συνε- δρίῳ, Λικίνιον 5 Ρουφείον τὸν ὑ- πατικόν, συναγο-	ρεύσαντα τῇ ἐπαρ- χείᾳ περὶ τῆς συντε- λείας τῶν Θετταλῶν, 10 Δομίτιος Εὐρύδικος, ὁ μακεδονιάρχης, ἐκ τῶν αὐτοῦ.
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To Good Fortune

In accordance with the decision of the most distinguished *synedrion*, to Licinius Rufinus the *consularis*, who has appeared as advocate for the province in the matter of the *synteleia* [contribution?] of the Thessalians, Domitios Eurydikos the *Makedoniarches* [gave honour] out of his own resources.

The general context is therefore the public activity of the *koinon*, or *synedrion*, of Macedonia, and the specific issue which had arisen will have related to the fact that at some time in the later second century Thessaly had been detached from the province of Achaëa and attached to Macedonia.¹⁶ *Synteleia* has a variety of meanings,¹⁷ but the most likely point at issue here was surely the question of the financial contribution which the cities of Thessaly would be required to make to the *koinon* of the province in which they now found themselves. The word *synteleia* is used in exactly this context in a letter of Valerian to the city of Philadelphia in Lydia, written from Antioch in Syria in 255, and responding to the city's request to be freed from the *synteleia* made by minor cities to the *metropoleis* towards the expenses of priesthoods and festivals.¹⁸ It is very likely, though it cannot be certain, that the dispute between the Thessalians and the *koinon* of Macedonia had also been heard by an emperor. But it is one of the features of the epigraphic dossier of Licinius Rufinus that no emperor is explicitly named in it. Documents 1 and 3 record that he was an *amicus* of a single emperor, but do not indicate which. The same is true of the remarkable new text representing the public role of Rufinus; but this does, though implicitly rather than explicitly, allow an attempt to date the successive phases of his career.

6. Thyatira. P. Herrmann, "Die Karriere eines prominenten Juristen aus Thyateira," *Tyche* 12 (1997): 111.

Ἀγαθῇ τύχῃ.

Μ. Γναῖον Λικίν. Ρουφεῖνον,
ἵππικόν, σύνβουλον Σεβ., πράξα[ν]-
τα τὰς Ἑλληνικὰς ἐπι[σ]τολάς, ἐπὶ
5 παιδείας Σεβ., ἐπὶ τῶν καθόλου λό-
γων, ἐπὶ τῶν ἀποκριμάτων, στρατη-
γὸν Ῥωμαίων, ἡγεμόνα ἐπαρχείας Νο-
ρικοῦ, ἱερέα σακερδωτίου Τίτου Τατίου,
ἐν τῷ συμβουλίῳ τῶν εἴκοσιν [ἀν]-
10 δρῶν, ἐπιλεχθέντα φίλον τοῦ Σεβ.,
πρεσβεύσαντα πολλάκις πρὸς τοὺς
αὐτοκράτορας καὶ πάντα τὰ δίκαια
τῇ πατρίδι κατορθώσαντα, τὸν
λαμπρότατον ὑπατικόν, διὰ τε
15 ἀφθονίαν τροφῶν καὶ ἔργων πολ-
λῶν καὶ μεγάλων κατασκευὰς κοι-
νῇ τε καὶ κατὰ ἓνα εὐεργέτην,
οἱ κηπουροί.

To Good Fortune

[To] M. Gnaeus Licin(ius) Rufinus, of equestrian rank, *consiliarius* of the Emperor, having handled the Greek letters, *a studiis Augusti*, in charge of the general accounts [*a rationibus?*], in charge of the *apokrimata* [*a libellis?*], praetor of the Romans, governor of the province of Noricum, priest of the *sacerdotium* of Titus Tatius, in the *consilium* of the Twenty Men, chosen as *amicus Caesaris*, having acted often as ambassador to the Emperors, and having secured all the rights for his native city, the *clarissimus consularis*, and on account of the generosity of his provision and his construction of many major works both a communal and an individual benefactor, the gardeners [gave honour].

It should be made clear at once that the remarks which follow,

designed to spell out the significance of this remarkable text, and to suggest some further interpretations, are entirely dependent on the exemplary publication by Herrmann. What follows makes no attempt to reproduce the details of his epigraphical commentary, but tries to look at some broad issues which the text raises. Some detailed issues of vocabulary and technical terminology will, however, be unavoidable, since one of the prime features of the text is the style in which it deploys Greek to mirror or represent functions in the entourage of the emperor. Precisely one of the difficulties is to know, firstly, whether these functions were themselves stable over successive reigns, and, secondly, whether they were described in a fixed terminology in Latin. In almost all respects I will merely attempt to bring out for the English-language reader the comments made by Herrmann. At one crucial point, however, namely the translation of

ἐπὶ τῶν ἀποκριμάτων, “in charge of the *apokrimata*,” I will suggest tentatively a different interpretation: not a *responsis*, but a *libellis*, that is, not the unattested post of secretary in charge of “answers,” but a *libellis*, that is, the well-known post of secretary in charge of petitions. If that were to prove correct, it would take us directly into the territory brilliantly explored by Tony Honoré, of “Emperors and Lawyers,” and to the question of whose are the “voices” which are heard in imperial replies to *libelli* from private persons.¹⁹ At the end, therefore, I will return to that question, and then (briefly) to the broad issue of “the Greek East and Roman Law.”

This inscription comes from a statue base, discovered in the village of Selendi, or Akselendi, seventeen kilometres south of the site of Thyatira. It is likely that it originally stood in the urban centre; even more keenly than normal, we must regret the disappearance of the statue itself, and with it the chance to see how a prominent local figure, who rose high in the imperial service and the Senate, will have been visually represented to his fellow citizens. None the less, even the text, without the statue which it accompanied, gives us a wholly new conception of Rufinus’ career.

The Career of Licinius Rufinus

The inscription seems to provide one unambiguous fixed point in time, namely the reference in lines 9–10 to Licinius Rufinus having been a member of the “council of the Twenty Men.” For the most natural way to take this, as Herrmann does, is as a reference to the commission of *vigintiviri* appointed by the Senate in A.D. 238 in the face of the

invasion of Italy by the forces of the emperor Maximinus.²⁰ There do not seem to be any other documentary attestations in Greek for the title used for this ad hoc group; the most formal title on a contemporary Latin inscription is *xxvir <os> ex senatus consulto r(ei) p(ublicae) curandae* (twenty men [appointed] by a decree of the senate for the preservation of the state), while another inscription, unfortunately fragmentary, refers to the “XX co(n)s(ulares).”²¹ But since Lucinius Rufinus was clearly of high senatorial rank at this point, and since there is no indication that the “council” (συμβούλιον) concerned had functioned alongside any emperor (contrast the earlier

post of *συμβούλος Σεβαστοῦ* [counsellor of the Emperor], recorded in line 3), there seems no alternative to seeing Licinius Rufinus as one of the twenty consulars of 238.

That being so, we should take it as at least a working hypothesis that this detail provides a chronological point of reference for the whole, rather anomalous, career, and explore its implications. Firstly, since the imperial, or non-local, elements in Rufinus’ career are clearly set out in chronological order, we have to take it that his selection as the *amicus* of a single emperor, recorded in line 10, belongs in the reign of Gordian III (A.D. 238–44). It will be recalled (text to n. 5 above) that Rufinus wrote his *Regulae* under Caracalla (A.D. 211–17), or possibly Elagabal (A.D. 218–22). So, in reading the inscription, we are looking back at a public career which seems to have covered something like the three decades, A.D. 210–40. If we take the form of the allusion to the emperor, or to successive emperors, seriously, then all of Rufinus’ posts fell in the reigns of emperors ruling singly (for the

text always uses *Σεβ* ., the abbreviation for *Σεβαστός* , referring to a single emperor, as opposed to *Σεββ* . for two, or even *Σεβββ* ., equivalent to “Augggg.” for three). There had been two joint Augusti (Severus and Caracalla) from 198 to 209, and three (with the younger brother, Geta, also) from 209 to 211. We ought therefore to start from the assumption that Rufinus’ secretarial posts with (apparently) a single emperor began not earlier than the reign of Caracalla (officially “M. Aurelius Antoninus,” and thus probably the “imperator Antoninus” mentioned in Rufinus’ *Regulae*). His official career could however have begun later. None of the emperors of the following two decades, Macrinus (217–18), Elagabal, officially also “M. Aurelius Antoninus” (218–22), Severus Alexander (222–35), or

Maximinus (235–38), had a co-emperor with the rank of Augustus. These names alone will be enough to suggest the drastically contrasted successive contexts into which Rufinus’ “secretarial” and then senatorial functions might have brought him.

The non-imperial, or local, roles attributed to Rufinus in the last part of the inscription (ll. 11–17) firstly take us back to the parallel, but less specific, representations in the other inscriptions from Thyatira (nos. 1–3), in which he is already both a *consularis* and local “founder” and benefactor, and in nos. 1 and 3 is also an *amicus Caesaris*. These latter two inscriptions at any rate should therefore not be earlier than the reign of Gordian III (238–44). The particular local benefactions recorded in no. 6, the supply of provisions and the construction of public works, could of course have belonged to any phase in Rufinus’ career. So also, probably, could the repeated embassies to the *Autokratores* (*Imperatores*), for this is a less specific term, which might cover appearances before two or three joint *Augusti*, or (for instance) before Macrinus and his son Diadumenianus in 217/18, or before a succession of emperors ruling singly. We may recall the inscription from Ephesus which honours a man who had been on a successful embassy on behalf of his city to Macrinus and Diadumenianus, and also earlier, before Severus and Caracalla and then Caracalla alone, to Rome, Britain, Germany, Sirmium, Nicomedia, Antioch, and Mesopotamia.²² Though it might seem surprising, such an embassy could even have been undertaken after a man reached senatorial rank, as is clear in the case of the embassy from Philadelphia to Valerian in 255 (text to n. 18 above). Equally, however, some such embassies (which are said to have taken place “often”) might have taken place before Rufinus’ official career began, and in the period when inscription 6, looking back, can describe him

as ἵππικός, “of equestrian rank.” The same chronological uncertainties apply to his appearance as an advocate for the *koinon* of Macedonia. When the inscription (no. 5) recording this was put up in Beroea, he was already a *consularis*; it is possible, but (as Werner Eck suggests to me) unlikely, that his services as advocate will have been at a much earlier stage.

Although there is a clear chronological structure to the representation of Rufinus’ imperial career in inscription no. 6, Herrmann rightly notes that some elements are (at best) implicit and are not specifically recorded. His first five posts were equestrian, “secretarial,” ones at the side of the emperor. He must then have been

adlected to the Senate, presumably *inter aedilicios* (into the status of former aediles), since he then held a praetorship in Rome (ll. 6–7). Although this was of course an honour, it should be noted that in the context of the Severan period it is a surprisingly modest one. In this period, as Eck and Roxan have recently stressed, equestrians holding prominent posts, including specifically “secretarial” posts with the emperor, seem commonly to have entered the Senate with praetorian or even consular status. Examples from among “secretaries” are Aelius Antipater, *ab epistulis Graecis* (in charge of the emperor’s Greek correspondence) under Severus, and then attested as a consular governor; P. Aelius Coeranus, *a libellis* (in charge of petitions) under Severus, and suffect consul under Caracalla; and now M. Ulpius Ofellius Theodorus, attested as *a libellis* early in Caracalla’s reign, and as a consular governor between 219 and 222. Aelius Coeranus was evidently adlected *inter praetorios* and then made consul; but Philostratus records specifically that Aelius Antipater was “enrolled among the consuls.”²³

Why Licinius Rufinus was adlected at a considerably lower level cannot be known, unless the purpose was precisely that he should use his legal expertise in giving jurisdiction as praetor. After that, at any rate, he went on to a praetorian governorship, of Noricum. The text uses the non-technical term *hēgemon*, the equivalent of *praeses* in Latin. But the formal title will still have been *legatus Augusti pro praetore* (legate of Augustus with praetorian rank) (see, e.g., *ILS*, no. 1194). Herrmann is surely right to find it noteworthy that a person of Rufinus’ background had governed an imperial province, and with that had taken command of a legion (the *legio II Italica*). After that, either a suffect consulship or a further adlection *inter consulares* must have followed, though it is not mentioned explicitly either here or in the other inscriptions; for the *vigintiviri* of 238 were certainly all *consulares*;²⁴ and in any case, in inscription no. 6, as in nos. 1–5, Rufinus is described as *ὕπατος*, *consularis*.

The greatest interest must however attach to the five successive “secretarial” posts which Rufinus held in the first half of his career in imperial service. So it may be worthwhile, before looking at these posts in a little more detail, to tabulate the two main phases of Rufinus’ remarkable career, and the posts held in each.

EQUESTRIAN POSTS

consiliarius Augusti
ab epistulis Graecis

a studiis Augusti

a rationibus (?)

a libellis (?)

SENATORIAL POSTS

(adlected, *inter aedilicios?*)

praetor

legatus of Noricum

(suffect consul?)

vigintivir

amicus Caesaris

As regards chronology, nothing is certain except that all his posts seem to have been held under an emperor ruling alone (so after 211), and that the vigintivirate belongs (almost certainly) to 238. Working back from 238, we should probably allow two to three years for the legateship of Noricum, followed probably by suffect consulship. Before that, he had been praetor in Rome. What interval should be assumed between the praetorship and the consulship in an entirely non-standard career such as this seems quite uncertain. The normal gap, from *praetor* at age thirty to consul at about forty-two, would put Rufinus' adlection back into the early 220s, and would mean that all of his five equestrian "secretarial" posts had been held in approximately the second decade of the century, or at the latest in early 220s. But we have no idea as to whether there was any norm for how long such a secretarial post would last, or indeed as to whether they would be likely to succeed each other without a break. All that seems certain is that they will all have fallen within the second two decades of the century.

It is necessary to recall here that inscription no. 4, from Thessalonica, describes Rufinus, in unusual style, as

τὸν κράτιστον καὶ λαμπρότατον καὶ
ἐνπειρότατον νόμων—

"the *egregius* and *clarissimus* and most versed in the laws *consularis*." Since, as we have seen (text to n. 15 above), *kratistos/egregius* is an equestrian status designation, this inscription mirrors no. 6, which begins by describing him as *hippikos*, "of equestrian rank," in looking back to a status from which he had since ascended, while mentioning his subsequent consular status also. The way in which the text of inscription no. 4 is expressed might even be thought positively to imply that Rufinus' reputation as a *iurisperitus*

did indeed go back to the time when he had been an equestrian. In fact, *iuris peritus* is too weak an equivalent for the superlative of *ἐνπειρότατον νόμων*— *iuris peritissimus* would be the literal equivalent in Latin, and precisely this superlative form had indeed been used by Cicero in speaking of the great orator Crassus (*Brut.* 39/145). But in any case (text to n. 5 above) it is likely that Rufinus' *Regulae* had been written under Caracalla.

Not much need be said here of the first four of the “secretarial” posts which Rufinus held. The parallel attestations for other holders in this period were conveniently collected by Pflaum in his great work on equestrian careers.²⁵ We cannot expect to be able to define such posts too precisely, not only because their functions may have been subject to change and re-combination, but because the terminology deployed both in literary and epigraphic mentions will have been subject to variation.

1. *Consiliarius Aug(usti)* — *σύμβουλον Σεβ(αστοῦ)*, line 3— is well enough attested, for instance in *ILS*, no. 1423 (Pflaum [n. 25], no. 239), from the Severan period. A few decades earlier, M. Aurelius Papirius Dionysius is recorded in Latin (*ILS*, no. 1455) both as *adsumptus in consilium* (appointed to the council) at 60,000 sesterces per annum and as a *centenarius consiliarius* (councillor at 100,000 sesterces per annum), and in Greek (*IGR* I, no. 135) as a

σύμβουλος (Pflaum, no. 181). In the middle of the third century a prominent local benefactor from Ancyra, Caecilius Hermianus, with no other attested imperial function, is described in (*OGIS*, no. 549) as

δουκ[η]νά[ριο]ν ἐπὶ συμβουλίου τοῦ Σεβ(αστοῦ)— “*ducenarius* in the *consilium Augusti*.” Like Licinius Rufinus, he illustrates the close connection between local eminence and imperial roles.

2. *Ab epistulis Graecis*. Described in no. 6 in terms which are not precisely paralleled elsewhere

(πράξα[ν]τα τὰς Ἑλληνικὰς ἐπι[σ]τολάς, ll. 3-4)

, this post is well known, not least from Philostratus' allusion to various sophists of just this period who held it.²⁶ A bilingual inscription from Ephesus conveniently provides a Latin and a Greek version of the terminology for both this and the fourth of Rufinus' posts (see under 4 below).

3. *Ἐπὶ παιδείας* (ll. 4–5). Though there seem to be no bilingual documents formally attesting the equivalence, there is no reason not to accept that this is the Greek for a *studiis Aug(usti)* (a “secretarial” post whose precise role is uncertain), a title which is quite well attested in the second and third centuries.²⁷

4. *Ἐπὶ τῶν καθόλου λόγων* (ll. 5–6). Both functions of, and the relevant vocabulary (Latin or Greek) for, the major financial post, or posts, at the emperor’s side are highly unclear. It may suffice to note that there are several different testimonies, literary and epigraphic, using slightly different terminology, for the notion of someone “entrusted with,” or “over,”

τὸν ἐπὶ τῶν Ἑλληνικῶν ἐπιστολῶν “the general accounts.”²⁸ From the later Antonine period an inscription from Ephesus, mentioned above, supplies the parallel terminology, in Latin and Greek, for two of the posts later held by Rufinus: *ab epistulis Graecis et a rationibus Augg./*

καὶ τῶν καθόλου λόγων τῶν μεγίστων αὐτοκρατόρων—“in charge of the Greek letters and the general accounts of the (greatest) emperors.”²⁹ Whether this term had by now been replaced in Latin by *rationalis* is not important in this context.

5. *ἐπὶ τῶν ἀποκριμάτων* (l. 6). As indicated above (text to n. 19), it is here alone that I would wish to offer a suggestion which is significantly different from that of Herrmann. He proposes as the Latin equivalent a *responsis*, while of course noting (p. 118) that the only (partial) attestation for it belongs to the reign of Claudius—*ad legationes et res[pon]sa Graeca?*] (in charge of the embassies and the Greek answers).³⁰ The term *apokrimata* is also very rarely attested in the titulature of imperial “secretaries,” and never along with a Latin equivalent. Herrmann duly notes the only two known cases—C. Stertinus Xenophon, also under Claudius, as *ἐπὶ τῶν Ἑλληνικῶν ἀποκριμάτων*, “in charge of the Greek *apokrimata*”;³¹ and the report in the Suda relating to Dionysius of Alexandria,

καὶ ἐπὶ τῶν ἐπιστολῶν καὶ πρεσβειῶν ἐγένετο καὶ ἀποκριμάτων, “and he was in charge of the letters and embassies and *apokrimata*”—some time in the later first or early second century.³²

Neither of these texts seems to make clear what type of imperial

“answer” or “judgement” was implied by the term *apokrima*, and neither relates to the period with which we are concerned. None the less, I would wish to offer the suggestion that what we are concerned with in inscription no. 6 is the post known in Latin as *a libellis* (the post of the secretary in charge of petitions), and later as *magister libellorum*. It must be admitted clearly that no consistent vocabulary describing this function in Greek can be derived from our sources.³³ What seems to be the post in question is recorded in Greek in the inscription of M. Aurelius Papirius Dionysius, found in Rome,

as ἐπὶ βιβλιδίων καὶ διαγνώσεω[ν] τοῦ Σεβαστοῦ

, “in charge of [the] *libelli* and judicial hearings of the Emperor” (apparently from early in Commodus’ reign),³⁴ while Aelius Coeranus (text to n. 23 above) is described in an inscription from Ephesus as

τὴν ἐξή[γησιν] τῶν ἀξιωματῶν πεπισ[τευμένος]

, “entrusted with the examination of the petitions.”³⁵ The date is the early years of the third century, and the function was being performed for Caracalla as joint Augustus. Both titles, moreover, relate to the petitions themselves (*axi $\bar{\theta}$ mata*), not to the imperial answers to them. So also (very inconveniently for the present argument) does what Cassius Dio says in the “speech of Maecenas,” when outlining the “secretarial” functions at the emperor’s side which should be performed by equestrians: “Moreover, for your judicial work and your letters, to help you attend the decrees of the cities and petitions of private individuals ... you must have men chosen from the equestrians to be your helpers and assistants.”³⁶ Similarly, Tryphoninus records a rescript being given by Septimius Severus “while Papinian was dealing with *libelli* [petitions].”³⁷

Unpromising as the ground may look, we will see that contemporary documentation does provide reasons for believing that *apokrimata* was the accepted term, or at least an accepted term, in Greek for replies to personal petitions addressed to the emperor. These answers—whether informal statements of the law, or instructions as to appropriate action, or replies to requests—fill the *Codex* of Justinian, and appear also in other legal texts, and are recorded from time to time on inscriptions and papyri. It is also these which, as assembled in vast numbers in the *Codex*, Honoré has brought to life both as examples of composition in Latin and as specimens of legal reasoning issued in the name of the emperor. He has also gone further, however, and by comparing the style of sequences of these private rescripts,

when rearranged in chronological order, with the style of juristic works as preserved in the *Digest*, has sought to put names to the holders of the office of a *libellis* in particular periods. In the years with which we are concerned, on Honoré's proposal, the a *libellis* of 194–202 will be Papinian (as in Tryphoninus' reference, text to n. 37 above); that of 203–9 Ulpian; that of 211–13 perhaps Arrius Menander; and that of 223–25 perhaps Herennius Modestinus (see text to nn. 42–49 below).

Licinius Rufinus as A *Libellis*?

If the last of the “secretarial” offices which Licinius Rufinus held was indeed that of a *libellis*, then we might hypothetically be able to explore another possible instance of a connection between the style of imperial rescripts and that of a work preserved, if very scrappily, in the *Digest*. Even if not, we know already, from the inscriptions listed above, that a man from the Greek city of Thyatira in Lydia was both seen as *iuris peritissimus* and held major “secretarial” posts with the emperor; and we also know that he wrote a juristic work in Latin, the *Regulae*.

In fact, the arguments for identifying *apokrimata* as having been in this period at least an accepted term for imperial replies to private

petitions (*libelli*, ἀξιώματα in Greek) are quite powerful. They consist above all of the heading of the papyrus text of a series of such answers, delivered by Severus and Caracalla over a three-day period in Alexandria in March A.D. 200. It is headed: “In Alexandria, copies of the *apokrimata* posted in the stoa of the gymnasium, year 8, Phamenoth 18 (and then on the two following days).” Both the form of their promulgation and the nature of the thirteen brief and pointed replies make it certain that these are not letters, but are replies to private petitions (*libelli*).³⁸ The same usage reappears in court proceedings of the 230s referring to an *apokrima* of the same emperors which had also been posted up in Alexandria in their year 8.³⁹

This coherent group of imperial replies to petitions represents extremely important evidence for the meaning of the term at the beginning of the third century. It should be stressed that *apokrima* is in itself a neutral term, which does not of itself serve to denote a specific form of imperial reply or decision. Similarly, *rescriptum* (and *rescribere*, *rescriptsit*) can be used of replies either in the form of imperial letters (to office-holders, high-status individuals, the Senate, provincial leagues, or cities) or of the informal replies to petitions (*libelli*, or

sometime *preces*) which were posted up wherever the emperor was, to be copied down by interested parties. Equally, it is clear that the term *apokrima* had been used in the first centuries B.C. and A.D. of replies to embassies from Greek cities.⁴⁰ By the early third century, however, the responsibility for such imperial letters, issued in Greek, rested with the *ab epistulis Graecis*; but this, as inscription no. 6 shows, was a post which Rufinus had already held. We know that the post of a *libellis* was prominent among the offices in the emperor's entourage, and that it was held by at least one major jurisconsult, Papinian (and, under the title of *magister libellorum*, was to be held later by at least one other, Aurelius Arcadius Charisius).⁴¹ We have also seen that the term *apokrima* is applied to the set of imperial rulings which were unquestionably answers to *libelli*, and which were posted up in Alexandria in A.D. 200. It is therefore a reasonable hypothesis, though it cannot be more, that the last "secretarial" post at the emperor's side which Licinius Rufinus held before being adlected to the Senate was that of a *libellis*.

As we have seen (text to n. 23 above), that adlection probably did not take place until some point in the reign of Severus Alexander (A.D. 222–35). It will be worth a moment's further speculation to ask if there might be any basis for identifying Rufinus with any of the *a libellis* whose distinctive style Honoré has discerned in this period. It should be stressed that at all stages the argument is speculative: *apokrimata* may not mean *libelli*; the role of the *a libellis* may not have involved the verbal formulation of the brief texts concerned; the procedure of looking for distinctive marks of style may be unsound, particularly when the object is to compare texts of totally different kinds (extensive academic works on the one hand, and concise rulings in the name of the emperor on the other). Furthermore, in many instances, even after the beginning and end of a hypothetical tenure of the post has been determined on the basis of the style of the replies, there may be no reason to suggest any known jurist as the holder.

In the case of Licinius Rufinus the material for comparison is indeed extremely slight. We know of only one juristic work of his, the *Regulae*, probably written under Caracalla (211–17); and we have fairly strong reasons for identifying the last of his "secretarial" posts as that of a *libellis*, and rather weaker reasons for suggesting that this may have been in the 220s.

If Honoré is right, one *a libellis* was in office from October 223 to October 225, and the very numerous replies to *libelli* issued in this

period allow an identification of him as Herennius Modestinus.⁴² Whether or not this identification can be proved, Modestinus at any rate was a distinctive and important figure.⁴³ Firstly, Ulpian records that he himself had replied by letter to an enquiry on a legal point made by Herennius Modestinus, *studiosus meus* (my pupil), writing from Dalmatia (whether this might imply that he was currently occupying a post there need not be decided).⁴⁴ Secondly, Modestinus rose at some stage to be *praefectus vigilum* in Rome, in which role he is found as one of a series of *praefecti* who issued extempore judgements (*interlocutiones*) in a property case. The issue dragged on, as is explicitly stated, from the year of the consuls of 226 to that of those of 244. Precisely when Modestinus gave his ruling is not clear. But the Roman inscription which records all this thus provides unique testimony at this point, in the form of the actual words spoken by a known Roman juristic writer:⁴⁵

Si quid est iudicatum, habet suam auctoritatem (si est, ut dixi, iudicatum). Interim apud me nullae probationes exhibentur, quibus doceantur fullones inpen[sione]m iu[r]e conveniri.

If any judgement has been given, its authority stands (if, as I say, a judgement has been given). For the moment no proofs are put forward before me by which the *fullones* are shown to be subject to a legitimate demand for payment.

Thirdly, Modestinus was also one of a quite restricted group of jurists who are cited by name in imperial replies to *libelli*. In 239 Gordian III reminded a petitioner sharply that he had already received a ruling on the same point “from Modestinus, a jurisconsult of no insignificant *auctoritas*.”⁴⁶

Fourthly, and finally, Modestinus was the author of a considerable body of juristic writing: among other titles, nine books of *Differentiae*, evidently written after 217, single books *de inofficioso testamento*, *de legatis et fideicommissis*, and *de manumissionibus*, and twelve books of *Pandectae*, also written after Caracalla’s death. But his most distinctive contribution to Roman legal literature was to write a book in Greek whose title itself perfectly exemplifies the penetration of Greek by Latin (or pseudo-Latin) loan-words:

Παραίτησις ἐπιτροπῆς καὶ κουρατορίας (On exemption from *tutela* and *cura*, often labelled simply *de excusationibus*).⁴⁷ As with all the other juristic works of the period, it survives only in extracts; but, even so, these cover some six large

pages in Lenel's *Palingenesia* and show the characteristic traits of Severan jurisprudence: repeated reference both to imperial rulings and to the opinions of other jurists (Paulus, Ulpian, Cervidius Scaevola). It is also very characteristic in treating in parallel, almost without distinction, exemption from *tutela* (guardianship of minors and women) and *cura* (guardianship of cases other than minors and women) within what we would classify as Roman private law on the one hand and exemption from liturgies in provincial cities on the other. It should be recalled that Modestinus, like Licinius Rufinus, was writing in the decades following the moment when the Constitutio Antoniniana had conferred the Roman citizenship, and with it the rules of Roman private law, on (among others) the educated upper classes of the Greek cities. It also incorporates a remarkable series of transliterated Latin, or semi-Latin, words:

συνβετερανός, λεγεωνάριος, ἑξκουσατίονες, καλκουλάτορες

Whether Herennius Modestinus himself came originally from a Latin-or a Greek-speaking context, it seems impossible to tell. But his example may encourage us to ask what we know of the juristic contribution of Licinius Rufinus. In his case there is no room for doubt that his native city was Thyatira in Lydia, and all of our documentary evidence on his public services and imperial offices is in Greek. His name, with its anomalous double *praenomen* (first name),⁴⁸ may suggest that he descended from an Italian family which had settled there earlier. But his own social origins have to be seen as unambiguously Greek.

The few surviving fragments of his one known work, the *Regulae*, show someone who, like Modestinus, is firmly embedded in the scholastic tradition of Roman jurisprudence. In the seventeen fairly brief fragments, he exhibits the same characteristics of Severan jurisprudence as are mentioned above, citing (as we have seen, text to n. 5) a decision of the current emperor, Caracalla, mentioning an opinion of Iulianus (*Iulianus putat*), referring to the *auctoritas* of Aquilius Gallus, and expressing the view that “most have considered” (*plerique existimaverunt*) that there could be a valid sale of a free man, provided that the parties were ignorant of the fact that he was free. In keeping with the nature of the work as indicated by its title, he shows a strong tendency to lay down basic principles: “Any institution [of an heir] which was invalid *ab initio* cannot gain validity subsequently [*ex postfacto*].”⁴⁹

This tendency to state basic principles concisely might be thought to make Rufinus a relatively promising candidate in the context of Honoré's procedure of comparing the verbal, intellectual, and expository styles of juristic works on the one hand and of imperial replies to petitions on the other, in the hope of identifying the real "authors" of the latter. That being so, and given the (very hypothetical) chronology suggested above, and *if* the post which Rufinus held was indeed that of a *libellis*, then the first possibility to examine would be "secretary no. 9," who on Honoré's view was the successor of Modestinus, and who, it is suggested, held office between March 226 and August 229. If the theory, as well as the identification of the private rescripts of this period as those of a single person, is correct, then we have fifty-two or fifty-seven rescripts which (it is proposed) were written by the same man, amounting to some two hundred lines of text, compared with the seventy or so lines quoted in the *Digest* as coming from Rufinus' *Regulae*.⁵⁰ Both totals are small, especially the second (and, above all, as compared with the vast bulk of Ulpian's writing). But even these relatively modest figures at least serve to underline the scale of the legal reasoning from this period which survives in the form of private rescripts. Having said that, however, it does not seem possible to detect in these rescripts traces of the (very little known) juristic "voice" of Licinius Rufinus.

Alternatively, if we accept the hypothesis that Modestinus was a *libellis* in 223–25, we could look at his (hypothetical) predecessor, Honoré's "secretary no. 7," who, it is suggested, held office from October 222 to October 223. In his case Honoré (of course, writing before there was any reason to identify Licinius Rufinus as one of the *a libellis*) attributed to him ninety-two or ninety-six rescripts, and noted that "a confident note is now sounded, the rescript often beginning with an emphatic statement of the law.... Other rescripts open with a pithy statement of principle."⁵¹

The body of text thus recovered and reassembled in chronological order is thus quite considerable, amounting to some 300 lines when printed out (see n. 50). Even if it were thought not worth pursuing the question of who was the real "author" of these replies, they would still represent evidence for the juristic function performed by, or in the name of, the emperor in the first part of Severus Alexander's reign, and while Domitius Ulpianus was praetorian prefect. Thus a rescript of December 222 lays down that if certain defendants require more strict examination, the provincial governor (*praeses*) "will take care to send

the defendants to Domitius Ulpianus, the *praefectus praetorio* and *parens meus*.”⁵² This same rescript exhibits a characteristic feature of the replies of 222–23, namely specific references to rulings by earlier emperors or the Senate, in this case Antoninus Pius.⁵³

This feature appears also in another reply of December 222, where part of the text is unfortunately corrupt:⁵⁴

Idem (Imp. Alexander) Eutychniano. Si † ea lege Chreste † servum, sed naturalem filium venumdedit, ut emptor eum manumitteret, quamvis non est manumissus, ex constitutione divorum Marci et Commodi as Aufidium Victorinum liber est.

Imperator Alexander to Eutychnianus. If [...] has sold [not?] a slave, but a natural son, on condition that the purchaser will manumit him, even if he has not been manumitted, following the *constitutio* of the Deified Marcus and Commodus to Aufidius Victorinus, he is free.

Whoever wrote this had somewhat compressed the dutiful reference to previous emperors, since Commodus had not been deified. Aufidius Victorinus, however, was an appropriate addressee, *praefectus urbi* in the later 170s and consul II in 183; he is attested in the correspondence of Fronto, on inscriptions, and in the three references in the *Digest* to other communications addressed to him, by Marcus Aurelius.⁵⁵ Once again, we see how profoundly embedded in the Antonine and Severan world the texts of this period collected in Justinian’s *Digest* and *Codex* are.

But is there anything beyond the concise and authoritative style revealed in the fragments of Licinius Rufinus’ *Regulae* to suggest that he might be “secretary no. 7,” in office in 222–23? Essentially, these fragments are too few to form a basis for comparisons of intellectual and verbal style. But it may be worth setting out one of them for comparison with the rescript to Eutychnianus quoted above. This is an extract from *Regulae* I, included in the *Digest*:⁵⁶

Si duobus heredibus institutis servus liber esse iussus sit, si decem heredibus dederit, ab altero ex heredibus venierit et traditus fuerit, pro parte altero ex heredibus, a quo non venierit, dando pecuniam liber erit.

If, when two heirs have been instituted, it has been laid down [by will] that the slave is to be free, on condition that he gives ten [*aurei*?] to the heirs, but he has been sold and handed over by one of the heirs, by giving money in proportion to the other of the heirs, by whom he has not been sold, he will be free.

The comparison of the two expressions of the law is perhaps suggestive. But it does not seem possible to go beyond that. The identification of this *a libellis* as Licinius Rufinus can be no more than a hypothesis. But if we allow ourselves to entertain this hypothesis, it would follow that Rufinus became *a libellis* some six months after accession of Severus Alexander, and while Ulpian was praetorian prefect. But, while Ulpian was murdered in the summer of 223, Rufinus (on this reconstruction) was rewarded at some point, perhaps in the mid-220s, with adlection to the Senate, though at a surprisingly modest rank, held the praetorship and then a governorship and (it seems) the consulate, and was a member of the twenty-man consular commission which opposed Maximinus in 238.

The latter part of his career thus involved him in quite major convulsions and conflicts. But unless (as is possible) his last equestrian post and his senatorial ones were all compressed into a much shorter period than suggested here—say from the late 220s to the end of the 230s—then we may wonder whether the first four of his important equestrian posts at the emperor’s side were held in a continuous sequence, or with intervals, and, in either case, whether the anonymous *Seb(astos)* whom he served was “Caracalla” (211–17) or Macrinus (217–18) or “Elagabal” (218–22), or two of these, or all three. This phase too had involved drastic changes and conflicts, not to speak of the fact that the imperial entourage had been continuously absent from Rome from 214, when Caracalla set out to the East, till 219, when the new emperor Elagabal returned.⁵⁷ It is useless to speculate, and also superfluous, since the intellectual and personal career of Licinius Rufinus is in any case of exceptional interest.

Learning Latin, Studying Roman Law

This chapter has been concerned with certain very distinctive external aspects of the complex—and, in historical terms, extremely important—process by which the upper classes of the Greek East “became Roman” while “staying Greek.” The end result of this long evolution was to be a Greek-speaking “Roman” Empire ruled from Constantinople; and one of its most remarkable products was to be precisely the compilation of that sixth-century source book of extracts of classical Roman juristic works written (almost entirely) in Latin, the *Digest*.

Inscriptions mirroring the participation of local notables from the Greek cities in the wider Roman world, whether as ambassadors, tax

gatherers, soldiers, equestrian civil or military officials, or senators, have transformed our conceptions of the Empire; and, if viewed collectively, they form a “literature” which is comparable in significance to the narrative representations of Rome and its history by Greek writers like Plutarch, Appian, or Cassius Dio. Greek inscriptions honouring men who became experts in Roman law form a very significant sub-category within this spectrum of public representations, for they imply the acquisition of a specifically Roman expertise, embodied in a scholastic tradition, and only available in Latin.⁵⁸ The study of Roman law by Greek-speakers must thus be seen as an exception—but perhaps an exception proving the general rule—to the wider pattern, emphasized recently by Swain, of a powerful linguistic “Hellenism” in the age of the Second Sophistic.⁵⁹ A fair number of such inscriptions are known, but by their nature they show us no more than externals—for instance one recording the early death of the young man from Cilicia who had been to Berytus to study “the Ausonian laws.”⁶⁰ But we lack almost all evidence of the actual process involved in learning first Latin and then Roman law. What sort of thing a “school” of Roman law, in Berytus or in Rome itself, really was, also remains obscure. For a start, we would almost certainly be wrong to think of a single “law school” at Berytus: the *Expositio totius mundi*, in describing the city as it was in the mid-fourth century, speaks of *auditoria legum* (lecture halls of law) in the plural.⁶¹ At any rate it is clear that by the end of the third century it was an established pattern for students from the Greek provinces to go to Berytus to pursue Roman law; one well-known example is provided by the *scholastici* from the province of Arabia who were studying there with a view to becoming lawyers, and to whom Diocletian gave a rescript.⁶²

At some point, obviously, Greek students of Roman law had to acquire an advanced knowledge of Latin; but our evidence on the teaching and learning of Latin in the Greek provinces is remarkably poor. The closest that we can come, in the context of the learning of Latin by Greek-speakers for use in a legal context, merely provides us with what we might call text-book material. I refer to the *Fragmentum Dositheanum*, which forms part of a compilation of texts made in A.D. 207, and which preserves the parallel bilingual text of a work on the law of manumission. As Honoré’s invaluable study of this text shows, the compilation of which it forms a part was intended to provide material for Greek-speaking students of Latin.⁶³

We can come rather closer to the experience, attitudes, and aspirations which will have marked the career of a man like Licinius Rufinus, who rose through his learning in Roman law to the very heart of the imperial system, by turning to the autobiographical account of his education by Gregorius from Neocaesarea in Pontus, who was later to be bishop of his native city, to be the subject of a powerful and evocative biography by Gregory of Nyssa, and to achieve lasting fame in the Greek and Russian Orthodox churches as “Gregory the Wonderworker.” It was his change of direction, from the pursuit of Roman law to Christianity, by becoming a student of Origen at Caesarea in Syria Palaestina, which was both to give rise to the very important autobiographical record which he left, and to mean that (for present purposes) the record breaks off just when it would have been most illuminating. The narrative comes from the *Address*, the *Prosph* *ō nētikos* (*logos*), in which Gregorius gives thanks to Origen at the end of his studies with him, which seem to have taken place in the 230s.⁶⁴ If we suppose that Licinius Rufinus will have been born in about the mid-180s, Gregorius will have been perhaps a quarter of a century younger, born (it is thought) around 212 or 213 (and thus just at the start of Rufinus’ career at court, and as a juristic writer).

I have referred to the evidence of Gregorius’ *Address* elsewhere,⁶⁵ but in this context it is worth spelling it out rather more fully. For there is perhaps no more vivid testimony to the process of acculturation. The account comes from the narration of Gregorius’ early experiences, provided as an explanation of how divine providence had brought him from Neocaesarea in Pontus to Caesarea in Syria Palaestina, from where he had intended to go back to Berytus (*Address* 5, 48–72).

Gregorius and his brother were born into a pagan family in Neocaesarea, and were educated by their mother after their father’s death. Her first plan was that, as youths of good birth, they should study with a rhetor (56). But Gregorius also had a Latin teacher, to whom by divine inspiration there occurred the idea that his pupil should both pursue his Latin studies more ambitiously and seek to learn law, perhaps with a view to acting as an advocate (57–61):

But, unsleeping as he was, my divine pedagogue and true guardian, although my family had not conceived of this idea and nor did I myself have the impulse, inspired one of my teachers, who was in any case entrusted with teaching me the Latin language (not with the idea that I should reach a high level, but so that I should not be entirely

ignorant of that language—and he happened to be not unversed in the laws). By putting this idea into his head, [my divine guardian] encouraged me through him to study the Roman laws thoroughly.... [My teacher] also added an observation, which turned out in my case the truest of all: the study of the laws would be for me the fullest of travelling allowances (for this was the word which he used), whether I wished to be one of the rhetors who compete in the courts, or to follow some other way of life.

The way in which the teacher's prediction turned out to be even more accurate than he supposed was that the intention to study the law led Gregorius to set off for Berytus and Caesarea, to which Origen had moved from Alexandria. Berytus was "a rather more Roman city, and considered as a school of these laws." Gregorius might have gone to Rome to study, but it was a further accident of circumstances which took him to Berytus instead. For the governor of Palestine (the *legatus* of Syria Palaestina) had taken Gregorius' brother-in-law, the brother

of his sister, who was also a jurist (*νομικός*), as a member of his staff. He was able to send for his wife, and thus it happened that, just when they (apparently also Gregorius' brother) were about to set off (apparently for Rome), a soldier arrived with authority to exact transport services, and with *diplomata* (certificates permitting to use the official means of transport) sufficient to cover several people (69). Thus they travelled to Caesarea, intending then to go the short distance back to Berytus. But in Caesarea they met Origen, and the whole course of their lives changed (62–72).

Few passages in our evidence give a better impression of the educational presuppositions of the possessing classes in the Greek East, or of the wider prospects which the Roman Empire offered to them. One could stay at home as an educated local landowner, act as an advocate in the courts, join the staff of a provincial governor, learn Latin, whether to a modest or more profound level, and enter the imperial service as an equestrian or a senator. But there were also now two further possibilities. One had been, in Gregorius's case, quite unexpected: to study with a famous Christian teacher, to become a Christian, and to return home to be a bishop. The other was visualized as a new and challenging direction for intellectual endeavour: the advanced study of Roman law, whether in Berytus or in Rome itself. It is in fact earlier in his *Address* that Gregorius provides a representation of Roman law as a field of study. He begins from the reflection that constant practice in verbal expression is necessary for

fluency. But it was another matter when it came to the Roman laws, which were written in Latin.⁶⁶

On the contrary, a quite different form of study takes a terrible grip on my mind, and binds my mouth and my tongue, if ever I wish to say the least thing in the Greek language—our admirable laws, by which the affairs of all those who are under the rule of the Romans are regulated, which can neither be composed nor studied thoroughly without great labour, being as they are wise and accurate and varied and admirable, and in a word most Hellenic, but expressed and transmitted in the language of the Romans, which is impressive and pretentious and wholly suited to the imperial power—but none the less burdensome for me.

Gregorius appears to mean, in the course of a quite complex train of thought, both that the study of juristic texts in Latin was hard work, though (or because) their intellectual content was at a high—even positively “Hellenic”—level, and also that the attempt to convert this material into Greek caused acute problems of expression. It is of some interest that the latter thought is reflected also in the dedicatory letter which Herennius Modestinus placed at the beginning of his *de excusationibus* (text to n. 47 above), and which—quite against the theoretical intentions of Justinian’s grandiose project—was to be preserved verbatim in the *Digest*.⁶⁷

Herennius Modestinus to Egnatius Dexter. Having composed a work of, it seems to me, the greatest usefulness, which I have entitled *Exemption from tutela and cura*, I have sent it to you. I will, so far as I am able, make the exposition of these matters clear, expressing the legal rules in the language of the Greeks, even though I know that they are regarded as hard to express when subjected to such transformations.

When Gregorius was composing his *Address*, it is likely that Licinius Rufinus will already have reached the summit of senatorial status and influence at Rome, as a *consularis* and *amicus Caesaris*. Gregorius’ words may remind us of how arduous and challenging an intellectual journey it was for citizens of Greek cities to master both Latin and Roman law, and then to enter the imperial service, and even, in Rufinus’ case, to contribute a work to the corpus of juristic writing in Latin. The inscriptions from Beroea and Thessalonica record between them the role as advocate, and the expertise in Roman law, which could be attributed to a Greek. But those from Thyatira both provide the fullest representation, through the medium of Greek honorific

vocabulary, of Rufinus' remarkable Roman career, as an equestrian and then senator, and also assert most emphatically his services to his native city and his fellow citizens.

Notes

* First published in *JRS* 89 (1999): 90–108. For very helpful comments, and suggestions I was most indebted to Peter Herrmann, Tony Honoré, Werner Eck, and Greg Woolf, as well as to the Editorial Committee.

1. T. Honoré, *Ulpian* (1982). Note the extensively revised second edition, *Ulpian: Pioneer of Human Rights* (2002).

2. *Dig.* 50, 15, 1 *pr.* (Ulpianus, *libro primo de censibus*). See F. Millar, “The Roman *coloniae* of the Near East: A Study in Cultural Relations,” in H. Solin and M. Kajava, eds., *Roman Eastern Policy and Other Studies in Roman History* (1990), chap. 7, on pp. 31–39 (chapter 9 in *Rome, the Greek World, and the East III: The Greek World, the Jews and Rome*); Millar, *The Roman Near East, 31 BC–AD 337* (1993), 285–95.

3. G. Woolf, “Becoming Roman, Staying Greek: Culture, Identity and the Civilizing Process in the Roman East,” *Proc. Camb. Philol. Soc.* 40 (1994): 116.

4. O. Lenel, *Palingenesia Iuris Civilis: Iuris Consultorum Reliquiae quae Iustiniani Digestis continentur, ceteraque iuris prudentiae civilis fragmenta minora secundum auctores et libros I–II* (1889).

5. Lenel (n. 4), I, cols. 559–62, fr. 12. *Dig.* 24, 1, 41 (Licinius Rufinus, *Regulae*, book 6): “For our Emperor Antoninus ruled that a wife was permitted to donate money to her husband (against the normal rule) on the occasion of his promotion.” Note that G. Gualandi, *Legislazione imperiale e giurisprudenza* 1 (1963): 229–30, goes straight from Caracalla to Severus Alexander, attributing no ruling to either Macrinus or “Elagabal.”

6. For Paulus' *Quaestiones*, see Lenel (n. 4), I, cols. 1181–1221. For the query from Rufinus, see fr. 1382, *Dig.* 40, 13, 4 (Paulus, *Quaestiones*, book 12): “Licinnius Rufinus to Iulius Paulus ...” Variation in the spelling of “Licinius” is found also in the contemporary inscriptions; see below.

7. See the important study by W. Kunkel, *Herkunft und soziale Stellung der römischen Juristen*² (1967), 244–45. Kunkel (245, n. 507) hints at a Greek origin, and the suggestion is put more positively by H.-G. Pflaum, *Les procureurs équestres* (1950), 267 and n. 7.

8. *PIR*¹ L 163 (the jurist); 164 (the man from Thyatira).
9. J. Lendon, *Empire of Honour: The Art of Government in the Roman World* (1997).
10. *PIR*² L 236.
11. P. Herrmann, "Die Karriere eines prominenten Juristen aus Thyateira," *Tyche* 12 (1997): 111.
12. *Tituli Asiae Minoris V. Tituli Lydiae 2. Regio septentrionalis ad occidentem vergens*, ed. P. Herrmann (1989).
13. C. P. Jones, "The Pancratiasts Helix and Alexander on an Ostian Mosaic," *JRA* 11 (1998): 293.
14. See F. Millar, "Empire and City, Augustus to Julian: Obligations, Excuses and Status," *JRS* 73 (1983): 76ff., see pp. 90, 94 (chapter 16 in this volume).
15. Millar (n. 14), 90.
16. See J. Deininger, *Die Provinziallandtage der römischen Kaiserzeit* (1965), 91–96; G. W. Bowersock, "Zur Geschichte des römischen Thessaliens," *RhM* 108 (1965): 277; W. J. Chef, "The Roman Borders between Achaia and Macedonia," *Chiron* 17 (1987): 135.
17. See M. Corbier, "Cit  , territoire et fiscalit  ," in *Epigrafia: Actes du Colloque international d  pigraphie latine en m  moire d'Attilio Degrassi* (1991), 629, on pp. 640–41, cited by Herrmann (n. 11), 112.
18. *SEG* XVII, no. 528. See F. Millar, *The Emperor in the Roman World*² (1992), 390.
19. See T. Honor  , *Emperors and Lawyers*² (1994), with my review article on the first edition (1981), "A New Approach to the Roman Jurists," *JRS* 76 (1986): 272ff. (chapter 19 in this volume).
20. See K. Dietz, *Senatus contra principem. Untersuchungen zur senatorischen Opposition gegen Kaiser Maximinus* (1980), cited by Herrmann (n. 11), 121.
21. *ILS*, no. 1186 (L. Caesonius Lucillus Macer Rufinianus); *AE* 1903, no. 337 = *ILS*, no. 8979: "[to the companion?] of our [Augusti] who belongs to the council of twenty" [*comiti? Augg.]nn. inter XX cos.*]. Zosimus 1, 14, 2 speaks only of twenty senators.
22. *I. K. Ephesos* III, no. 802 (*Ann.   pig.* 1971, no. 455; *SEG* XVII, no. 505).
23. Philostratus, *Vit. Soph.* 2, 24, 2: *  πάτοις δ     γγραφ  ίς*. See esp. W. Eck and M. M. Roxan, "Zwei Entlassungsurkunden—*tabulae honestae missionis*—f  r Soldaten der r  mischen Auxilien,"

Archaeologisches Korrespondenzblatt 28 (1998): 95, 98–99. For M. Ulpius Ofellius Theodorus, see J.-L. Mourges, “Les formules ‘rescripti’ ‘recognovi’ et les étapes de la rédaction des souscriptions impériales sous le Haut-Empire romain,” *MEFRA* 107 (1995): 295–98.

24. Herrmann (n. 11), 120–22, with Dietz (n. 20), 326–27. Note esp. that Herodian 8, 5, 5, speaks of ἀνδρας ὑπατευκότας, “men who had held the consulate” (though he does not mention the figure 20), while *HA, Gord.* 14. 4, speaks of *viginti viri consulares*.

25. H.-G. Pflaum, *Les carrières procuratoriennes équestres I–III* (1960–61). For a tabulation of the known holders of “secretarial” posts, see III, 1019–25.

26. Philostratus, *Vit. Soph.* 2, 5 (Alexander of Seleucia, Cilicia); 2, 24 (Antipater of Hierapolis); 2, 33 (Aspasius of Ravenna).

27. Pflaum (n. 25), III, 1022–23.

28. Pflaum (n. 25), III, 1019.

29. *ILS*, no. 1344; *I. K. Ephesos* III, no. 651 (Ti. Claudius Vibianus Tertullus, *PIR*² C 1049).

30. *I. K. Ephesos* VII.1, no. 3042, l. 11 (Ti. Claudius Balbillus, Pflaum [n. 25], no. 15).

31. *Syll.*³, no. 804; Pflaum (n. 25), no. 16.

32. *Suda*, s.v. Διονυσίος, ed. Adler, vol. II, pp. 109–10; Pflaum (n. 25), no. 46.

33. For a thorough examination of the ambiguity of the vocabulary used in this area, and references to recent bibliography, see J.-P. Coriat, *Le prince législateur: la technique législative des Sévères et les méthodes de création du droit impérial à la fin du Principat* (1997), 81–82.

34. *IGR* I, no. 135 = Moretti, *IGUR* I, no. 59; Pflaum (n. 25), no. 181.

35. *I. K. Ephesos* VI, no. 2026 (*PIR*² A 161).

36. Dio 52, 33, 5

καὶ μέντοι πρὸς τὰς δίκας τὰς τε ἐπιστολὰς καὶ τὰ ψιμφίσματα τῶν πόλεων τὰς τε τῶν ἰδιωτῶν ἀξιώσεις . . . συνεργούς τέ τινας καὶ ὑπηρέτας ἐκ τῶν ἱππέων
, Loeb trans., with adjustments.

37. *Dig.* 20, 5, 12 *pr.* (Tryphoninus, *libro octavo disputationum* [*Disputations*, book 8]): *Rescriptum est ab imperatore libellos agente Papiniano*; Pflaum (n. 25), no. 220.

38. This important document, *P. Col.*, no. 123, was originally published by W. L. Westermann and A. A. Schiller, *Apokrimata: Decisions of Septimius Severus on Legal Matters* (1954), and revised by H. C. Youtie and A. A. Schiller, “Second Thoughts on the *Columbia Apokrimata* (*P. Col.* 123),” *Chron. d’Ég.* 30 (1955): 327, whence the standard text, *SB* VI, no. 9526.

39. *P. Mich.* IX, no. 529, published by E. M. Husselman, *Papyri from Karanis* (3rd series) (*Michigan Papyri*, Vol. IX) (1971), no. 529 (*SB* XIV,

no. 11875). Verso line 1: [ἐξ ἀπ]οκριμάτων
Θεῶν Σεούν Σεούρου κ[αὶ Ἀντωνίνου]. The text of an *apokrima* follows in lines 40–52, followed by

[πρ]οετέθη ἐν Ἀλεξανδρίᾳ (ἔτους) ἡ Μεχ[εῖρ . . .]

40. I note only a few examples, based on the computer search kindly carried out for me by Charles Crowther at the Centre for the Study of Ancient Documents in Oxford: *Sardis* VII.1, no. 8, iii, 35; iv, 44; v, 58; x, 105; xi, 25; *I. K. Prusa ad Olympum*, no. 2; J. M. Reynolds, *Aphrodisias and Rome* (1982), no. 8, l. 82; 9, l. 15; *IG* VII, no. 2711, ll. 68, 107; 2712, l. 48.

41. *Dig.* 1, 11, 1 *pr.* (Aurelius Arcadius Charisius, *magister libellorum, libro singulari de officio praefecti praetorio* [“in his one-book work *On the Praetorian Prefect*”]). *PLRE* I, Charisius 2; Honoré (n. 19), 156–62, “Secretary no. 19.” See R. Herzog and P. L. Schmitt, *Restauration und Erneuerung: Die lateinische Literatur von 284 bis 374 n. Chr.* (1989), 69–71.

42. Honoré (n. 19), 101–7, “Secretary no. 8.”

43. For the evidence, see *PIR*² H 112.

44. *Dig.* 47, 2, 52, 20.

45. *CIL* VI, no. 266 (remarkably, not in *ILS*); Riccobono, *FIRA*² III, no. 165. The section quoted is lines 19–23.

46. *CJ* 3, 42, 5: “a non contemnendae auctoritatis iuris consulto.”

47. Lenel (n. 4) I, cols. 701–56. The fragments of Modestinus’ *de excusationibus*, written in Greek, occupy columns 707–18.

48. On double *praenomina* in this period, see O. Salomies, *Die römischen Vornamen: Studien zur römischen Namengebung* (1987), 414–18.

49. *Dig.* 50, 17, 210 (Licinius Rufinus, *libro singulo regularum* [“in

his one-book work on *Rules*”]: *Quae ab initio inutilis fuit institutio, ex postfacto convalescere non potest.*

50. Honoré (n. 19), 107–9. Honoré’s *Palingenesia* of the rescripts in chronological order can be printed out from the disk supplied with the second edition.

51. Honoré (n. 19), 98–101. I am very grateful to Tony Honoré for suggesting to me the identification of Licinius Rufinus with “secretary no. 7,” and for discussing the issues with me.

52. *CJ* 4, 65, 42.

53. Cf., e.g., *CJ* 8, 10, 2 (*edicto divi Vespasiani et senatus consulto* [by the edict of the divine Vespasian and a decree of the Senate]); 6, 50, 4 (*divo Hadriano placuit* [as seemed right to the divine Hadrian]); 9, 23, 3 (*Senatus consulto et edicto divi Claudii* [by a decree of the Senate and an edict of the divine Claudius]); 4, 1, 2 (*secundum constituta divorum parentum meorum* [according to the rulings of my divine parents]); 9, 22, 2 (*divorum parentum meorum rescriptis* [according to the replies of my divine parents]).

54. *CJ* 4, 52, 2.

55. *PIR*² A 1393.

56. *Dig.* 40, 7, 32.

57. See H. Haufmann, *Itinera Principum* (1986), 223–31.

58. For an invaluable study by a Roman lawyer, exploiting this and other non-legal evidence for lawyers under the Empire, see the work by Kunkel (n. 7).

59. S. Swain, *Hellenism and Empire: Language, Classicism and Power in the Greek World, A.D. 50–250* (1996).

60. *AE* 1972, no. 635. For the date (fourth century), see J. F. Gilliam, “A Student at Berytus in an Inscription from Pamphylia,” *ZPE* 13 (1974): 147.

61. *Expositio totius mundi et gentium*, ed. J. Rougé (Sources Chrétiennes, 124, 1966), chap. 25.

62. *CJ* 10, 50, 1: “Cum vos adfirmatis liberalibus studiis operam dare, maxime circa professionem iuris, consistendo in civitate Berytorum provinciae Phoenices ...”

63. The parallel Latin and Greek text is to be found in G. Goetz, *Corpus Glossariorum Latinorum* III: *Hermeneumata Pseudositheana* (1897), 48–56 and 102–8 (deriving from two separate manuscripts). See A. M. Honoré, “The ‘Fragmentum Dositheanum,’” *RIDA* 12 (1965):

64. The best modern treatments of Gregorius' remarkable autobiographical record are to be found in H. Crouzel, ed., *Grégoire le Thaumaturge, remerciement à Origène, suivi de la lettre d'Origène à Grégoire* (Sources Chrétiennes, 148, 1969), whose text is used below, and above all in the review article on this work by J. Modrzejewski (now Méléze-Modrzejewski), "Grégoire Thaumaturge et le droit romain," *Rev. Hist. Dr. Fr.* 49 (1971): 313. What is said here serves only to bring out in this context the points made by Modrzejewski. For the biographical representation of him by Gregory of Nyssa in the next century, see Migne, *PG* 46, 893–958, with the study by R. van Dam, "Hagiography and History: The Life of Gregory Thaumaturgus," *Classical Antiquity* 1 (1982): 272. Note also the very illuminating treatment of Gregory by R. Lane Fox, *Pagans and Christians* (1986), 516–17.

65. For instance in "Culture grecque et culture latine dans le Haute-Empire: la loi et la foi," in *Les martyrs de Lyon (177)*, *Lyon* 20–23 *Septembre 1977*, *Coll. Int. du CNRS* 575 (1978), 187.

66. Address 1.6–7. The text in this section is very defective. I have simply followed Crouzel's text (n. 64), adopted by Modrzejewski (n. 64), 317, except that in the second line as printed I have assumed the suggestion (Crouzel, p. 97, n. 4) to add *καί* after *συνδεῖ*.

67. Dig. 27. 1, 1 *pr.* (Modestinus *libro primo excusationum*:

Ἐρέννιος Μοδεστίνος Ἐγνατίω

Δέξττω. Συγγράψας σύγγραμμα, ὡς ἐμοὶ δόκει χρησιμώτατον, ὅπερ παραίτησιν ἐπιτροπῆς καὶ κουρατορίας ὠνόμασα, τοῦτο σοι πέπομφα. Ποιήσομαι δὲ ὡς ἂν οἶος τε ὦ τὴν περὶ τούτων διδασκαλίαν σαφῇ, ἀφηγούμενος τὰ νόμματα τῇ τῶν Ἑλλήνων φωνῇ, εἰ καὶ διδακτὰ δύσφραστα αὐτὰ νομιζόμενα πρὸς τὰς τοιαύτας μεταβολάς)

. My translation is tentative, and differs somewhat from that in Alan Watson, ed., *The Digest of Justinian II* (1985), 781.

Index

As in Volume One, the index, compiled by the editors, is meant to give some clues and keys to the string of thoughts and ideas developed over the years in Fergus Millar's articles on government, society, and culture in the Roman Empire: names, institutions, events, and dates are all subservient to this principle.

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ROME, THE GREEK WORLD, AND THE EAST

VOLUME 3



THE GREEK WORLD, THE JEWS, & THE EAST

FERGUS MILLAR

EDITED BY HANNAH M. COTTON & GUY M. ROGERS

Studies in the History of Greece and Rome

Robin Osborne, P. J. Rhodes, and Richard J. A. Talbert, editors

Rome, the Greek World, and the East

VOLUME 3

The Greek World, the Jews, and the East

Fergus Millar

Edited by Hannah M. Cotton and Guy M. Rogers

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Preface

Fergus Millar, Camden Professor of Ancient History in the University of Oxford emeritus, is one of the most influential ancient historians of the twentieth century. Since the publication of *A Study of Cassius Dio* by Oxford University Press in 1964, Millar has published ten books, including two monumental studies, *The Emperor in the Roman World* (Duckworth, 1977) and *The Roman Near East, 31 B.C.–A.D. 337* (Harvard, 1993). These books have transformed the study of ancient history.

In his study of the role of the emperor in the Roman World Millar argued that the reign of Augustus inaugurated almost three centuries of relatively passive and inert government, in which the central power pursued few policies and was largely content to respond to pressures and demands from below. After nearly thirty years of scholarly reaction, *The Emperor in the Roman World* is now the dominant scholarly model of how the Roman Empire worked in practice.

Reviewers immediately hailed Millar's magisterial study of the Roman Near East as a "grand book on a grand topic" (*TLS*, 15 April 1994). In this grand book, displaying an unrivaled mastery of ancient literary, epigraphic, papyrological, and archaeological sources in Greek, Latin, Hebrew, Aramaic, and other Semitic languages, Millar made the indigenous peoples of the Roman Near East, especially the Jews, central to our understanding of how and why the three great religions of the book, Rabbinic Judaism, Christianity, and Islam, evolved in a cultural context that was neither "eastern" nor "western." There can be no doubt that *The Roman Near East, 31 B.C.–A.D. 337* will be the standard work on the subject for a long time to come.

Over the past few years, Millar has published two books, *The Crowd in Rome in the Late Republic* (Michigan, 1998) and *The Roman Republic in Political Thought* (New England, 2002) on the politics of the Roman Republic and how those politics have been understood or misunderstood by political thinkers from the ancient world to the present. These books have challenged widely held notions about the supposed oligarchic political character of the Roman Republic. Most recently, based upon the Sather Lectures of 2003 Millar now has produced his first work centrally focused upon late antiquity, *A Greek Roman Empire: Power, Belief and Reason under Theodosius II, 408–50*.

In the future Millar intends to return to the Roman Near East, for a study to be entitled *Society and Religion in the Roman Near East from*

Constantine to Mahomet. In this study Millar will bring the story of Greco-Roman culture in the Near East from the early fourth century up to the Islamic invasions of the seventh century A.D. Apparently, the enormous task of writing a social history of the Near East from Alexander to Mahomet will not be left completely to someone else after all, as Millar prophesied in 1993 (*The Roman Near East*, pp. xii–xiii).

During the same period when he has produced these groundbreaking books, Millar also has published more than seventy essays on aspects of Greco-Roman history, from the Hellenistic period until the middle of the fifth century A.D. These essays have laid the foundations for or supplemented the ideas and arguments presented in Millar's very well known books. Some of these essays, such as "The Emperor, the Senate and the Provinces" (*Journal of Roman Studies* 56 [1966]: 156–66), or "Emperors, Frontiers and Foreign Relations, 31 B.C.–A.D. 378" (*Britannia* 13 [1982]: 1–23), have appeared in hitherto accessible journals and are widely regarded as classics of scholarship. But other outstanding essays, such as Millar's study "Polybius between Greece and Rome" (published in *Greek Connections: Essays on Culture and Diplomacy* [1987], 1–18), have been more difficult to locate, even for professional historians doing research in the field.

Therefore, the primary goal of our collection, *Rome, the Greek World, and the East*, is to bring together into three volumes the most significant of Millar's essays published since 1961 for the widest audience possible. The collection includes many articles that clearly will be of great intellectual interest and pedagogical use to scholars doing research and teaching in the different fields of the volume headings: Volume 1, *The Roman Republic and the Augustan Revolution*; Volume 2, *Government, Society, and Culture in the Roman Empire*; and Volume 3, *The Greek World, the Jews, and the East*.

At the same time, we have conceived and organized the three volumes of *Rome, the Greek World, and the East* especially in order to make Millar's most significant articles readily available to a new generation of students, who increasingly may not have access to the specialty journals or edited volumes in which many of Millar's more recent articles have appeared.

The principle of arrangement of the essays in each of the three volumes is broadly chronological by subject matter treated within the ancient world. We believe that this chronological arrangement of essays (rather than by publication date of the essays) gives intellectual

coherence to each volume on its own and to the collection as a whole. Overall, as Millar himself has defined it, the subject of this collection is “the communal culture and civil government of the Graeco-Roman world, essentially from the Hellenistic period to the fifth century A.D.” (“Author’s Prologue,” volume 1, p. 11).

Publication of a three-volume collection of essays, drawn from a wide variety of journals and edited volumes, over more than four decades of scholarly production, presents editors with some major stylistic challenges. Our collection contains fifty-four essays (in addition to a prologue and an epilogue written by Millar especially for the present collection). Most of these essays originally were published in learned journals or books, each of which had its own house style. Some learned journals also have changed their house styles over the time when Millar has published in them. For these reasons we have not attempted to bring all of the citations in the texts or notes of the articles in the collection into perfect stylistic conformity. Conformity for the sake of conformity makes no sense; moreover, to achieve such conformity would delay publication of the collection for years.

Rather, the stylistic goal of our collection has been to inform readers clearly and consistently where they can find the sources cited by Millar in his essays. To help achieve that goal we have included a list of frequently cited works (with abbreviations for those works) at the beginning of each volume. Thus, in the text or notes of the essays, readers will find abbreviations for frequently cited journals or books, which are fully cited in our lists at the beginning of each volume. For example, references in the notes to the abbreviation *JRS* refer to the *Journal of Roman Studies*. For the abbreviations themselves we have relied upon the standard list provided in *L’Année Philologique*. In certain cases, where there have been individual citations in the original texts or notes to more obscure collections of inscriptions or papyri, we have expanded the citations themselves in situ, rather than endlessly expanding our list of frequently cited works.

In accordance with Fergus Millar’s wishes, for the sake of readers who do not know Latin or Greek, we have provided English translations of most of the extended Greek and Latin passages and some of the technical terms cited by Millar in the text and notes of the original essays. In doing so, we have followed the practice Fergus Millar himself adopted in *The Emperor in the Roman World* in 1977 and in *The Roman Near East* in 1993. We believe that providing these translations will help to make Millar’s essays more widely accessible,

which is the essential goal of the collection. Readers who wish to consult the original Greek, Latin, and Semitic passages or technical terms that we have translated in the collection can look up those passages or technical terms in the original, published versions of the essays.

The editors would like to thank the many friends and colleagues who have helped us in the process of collecting these essays and preparing them for publication. We are indebted first of all to Lewis Bateman, formerly senior editor at the University of North Carolina Press, who suggested the basic arrangement of the essays into three volumes. We are also grateful to David Perry, editor-in-chief; Charles Grench, assistant director and senior editor; Pamela Upton, assistant managing editor; Amanda McMillan, assistant editor; and last but certainly not least, Brian MacDonald, our copyeditor, at the University of North Carolina Press, for their flexibility, advice, and support of the project.

Asaph Ben Tov, Masha Chormy, Tamar Herzig, Amir Marmor, Andrea Rotstein, Naomi Schneider, and Ori Shapir of the Hebrew University in Israel and Michal Molcho in Oxford retyped, converted, scanned, and corrected old and new articles into new format, thereby providing the editors with excellent manuscripts to work on. Dr. Nancy Thompson of the Metropolitan Museum of Art in New York provided invaluable editorial assistance at all stages. Our thanks also to Mark Rogers for his help with the maps. We owe a very unique debt to Priscilla Lange whose generosity, kindheartedness, and hospitality in Oxford has made all the difference. We also would like to express our gratitude to the Fellows of Brasenose College Oxford and All Souls College Oxford for their hospitality while we were working on this project.

Above all, however, the editors would like to thank Fergus Millar, for his scholarship, for his generosity, and for his friendship over three decades.

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Introduction

The Greek World, the Jews, and the East is the third and last volume in the series of Fergus Millar's collected essays, *Rome, the Greek World, and the East*. It stands to *The Roman Near East, 31 B.C.–A.D. 337*¹ as the second volume in the series stands to *The Emperor in the Roman World, 31 B.C.–A.D. 337*,² and, to a lesser extent, as the first volume in the series stands to *The Crowd in Rome in the Late Republic*.³

The two themes of the first volume, *The Roman Republic and the Augustan Revolution* (2002), are the democratic nature of the Roman Republic and the transition from Republic to Principate, and its focal point, the cradle of the empire—the city of Rome and Italy. The second volume, *Government, Society, and Culture in the Roman Empire* (2004), is about imperial Rome; it deals with the empire as a system of government; only briefly and intermittently does it touch on local cultures in the provinces. The present volume is a study-in-depth of the impact of empire on the eastern part of the Empire. The “East” in the title is the Roman Near East, which eventually extended much further east than it had in the early Empire. With the incorporation of great tracts of the East, Rome ceased, also in the East, to be a Mediterranean empire.

Millar's Roman Near East is that part of the Roman world populated by Semitic-speaking and Semitic-writing peoples;⁴ their encounter with Greco-Roman civilization is the leitmotif running through all of the articles in this volume. The study of ethnicity and language accounts for an apparently almost obsessive preoccupation with primary evidence, inscriptions and papyri.

I can offer no better description of the conception behind *RNE* and therefore also behind the articles collected here than that given by Fergus Millar himself in chapter 13 (“Porphyry: Ethnicity, Language, and Alien Wisdom,” 1997) of the present volume, where he debunks the notion of “something distinctively ‘oriental’ in his thought,” ascribed to the Neoplatonist philosopher solely because he was born in Tyre in 230s:

The Roman Near East, 31 B.C.–A.D. 337 (1993) . . . was intended precisely to draw a “map” of the Roman provinces of Syria, Mesopotamia, Judaea/Syria Palaestina, and Arabia, first in terms of language, as attested by documentary and literary evidence, and then of “ethnicity,” as claimed or imputed by contemporaries. Its approach was thus severely empirical, and was designed, not—as is in any case

impossible—to prove negatives (for instance, that a particular language was *not* in use at a particular time or place), but to show the limits of what we know now: that we have actual evidence for the use of a particular language only in particular places and at particular times. Suppositions about wider use are themselves hypotheses, which might of course receive support at any time from new evidence. But such suppositions, until supported, must on no account serve as the bases for interpreting the thought of Porphyry, or of other philosophers.

Many of the chapters in the present volume, albeit self-contained, are indeed preliminary studies for *RNE*, as their first footnote attests; others, looking backward to the Hellenistic period, precede the time span set by *RNE*; some, written after the completion of that work, look forward to its sequel; finally, the two last chapters go beyond *RNE*'s thematic scheme to discuss the Jewish diaspora in the West as well as in the East.

However, each of the chapters has a focal point, which in one way or another has been integrated into the vast canvas of *RNE*, or at least has been foreshadowed in it. Their innovativeness, originality, and individuality are thus in danger of being lost to the unwary and inexperienced reader of Fergus Millar's work—which now spans almost half a century. It is one of the aims of the present collection, as it was of the previous two, to recapture the vigor and ground-breaking freshness of the originals for a young and uninitiated audience and recreate it for others.

The six chapters of the first part, "The Hellenistic World and Rome," belong to the Hellenistic period, before *RNE* begins, yet it would be no exaggeration to say that the first chapter, "The Problem of Hellenistic Syria" (1987), has it all in a nutshell. Here is struck the first chord of dissent from and challenge to widely accepted and much venerated traditions. Millar's empirical approach needed no more than a few strokes to sweep away numerous comfortable views on the time-honored concept of Hellenization as fusion (*Verschmelzung*) of Greek and local cultures. "The 'Hellenistic' Syria, with a distinctive mixed culture" turns out to be a product of its Roman phase, "that which evolved under the Roman Empire" (chapter 1, text to n. 104 below). The advent of Rome brought with it considerable intensification of the process of Hellenization as attested in the written corpus as well as in material culture. Until then our evidence for the Greek presence in Syria is "limited, variable, and erratic." Even more disconcerting is the

piercing question: “the Hellenisation of what?” What do we know of the Achaemenid period in Syria? This is taken up again in *RNE*: “So far as our evidence goes, the preceding Hellenistic period has left almost nothing which can count as the expression of a regional or a local culture” (22). As it happens the indigenous local cultures *too* owe their very appearance in the historical record to their adoption of the “epigraphic habit” of the Greco-Roman world, mostly in Greek, but sometimes in their own languages, under Roman sway. A tempting solution to “the amnesia of the Semitic cultures” is, of course, the model offered by Glen Bowersock, namely that “one of the functions of Graeco-Roman culture in this region may precisely have been to offer a vehicle for the expression of an indigenous local culture” in the area.⁵

The counterpoint to this is the subject of chapter 2: “The Phoenician Cities: A Case-Study of Hellenisation” (1983), where true fusion of indigenous and Greek cultures in the old sense seems to have taken place. However, the Hellenization of the Phoenician cities began long before Alexander and has rarely been discussed in this context. A Jewish version of the fusion is the book of Daniel (chapter 3: “Hellenistic History in a Near Eastern Perspective: The Book of Daniel,” 1997), written in the 160s B.C., which may borrow from Hellenism “the notion of history as a succession of world empires,” but it does so only in order to reaffirm Jewish monotheism against the Hellenistic persecutor Antiochus IV Epiphanes. Neither should the events of 167–164 B.C. be seen as the culmination of a profound and long process of evolution within Judaism, assimilating it to Hellenism (chapter 4: “The Background to the Maccabean Revolution: Reflections on Martin Hengel’s ‘Judaism and Hellenism,’” 1978). We should strongly resist the tendency of modern historiography to search for deeper reasons and “look to sources other than the reigning Seleucid king himself for the explanation of a persecution carried out by royal command and by royal agents” (chapter 4, text to n. 36; cf. *RNE*, 12). Instead, we should see the desecration of the Temple in Jerusalem for what it was: in no sense syncretistic but the arbitrary imposition of a pagan cult.

The reader of chapter 5, “Polybius between Greece and Rome” (1987), where Millar denies the attribution of Roman sympathies to the historian, cannot but recall Millar’s first book, *A Study of Cassius Dio* (1964). In the span of time separating the two, a Greek historian not only ceased to regard Rome as the invader, but could become

Roman himself while “staying Greek”—a fusion of cultures that could rightly be described as Hellenism. In similar vein, the Greek city of the imperial period (chapter 6, “The Greek City in the Roman Period,” 1993) “would be more correctly described as ‘Graeco-Roman’: that is, as a fusion or *mélange* of languages and constitutions, types of public entertainment, architectural forms, and religious institutions” (text to n. 31), detached from its place of birth, Greece and Asia Minor, and transcending even the borders of the Empire—“a symbol of the fact that in the end *Graecia capta* did indeed imprison her captor.”

The second part is rather heterogeneous and the least cohesive of the three, but it is far from chaotic. All six chapters reveal the complex and subtle impact of the Roman presence in the East, never to be dismissed, never to be lost to sight, but always working in intricate and unexpected ways. Each of them raises problems to which solutions and interpretations have been offered in the past, solutions and interpretations that are now shown to be less than satisfactory and sometimes patently wrong.

Chapter 7, “Reflections on the Trials of Jesus” (1990), is dedicated to Geza Vermes, coeditor with Fergus Millar of the new Schürer.⁶ Of all the chapters in this volume, this is the most likely to give the reader a taste of what it was like to be Fergus Millar’s student, to take lessons from him in how to read an ancient text and in how to choose the more veridical version of the course of events. In dealing with the trial of Jesus, “we must not proceed by amalgamating data from all four gospels” nor, surprisingly, by weighing arguments based on coherence and plausibility, but rather by choosing the one that has the better grasp “on the realities of Palestine under Roman domination,” which in this case means the one that conforms “with the world as portrayed by Josephus.” The preference, which is “no more than an hypothesis,” goes to John’s Gospel.

The next two chapters belong together for two reasons. First, a formal reason: it was our editorial decision, contrary to our practice throughout, not to translate the texts written in the ancient languages in these two chapters. These are in essence linguistic papers based on documents, focusing on borrowings from one language to another. Although integral to the central theme of the volume, these two chapters do not, and can not, make sense unless the relevant material is retained in the original (or in the case of Semitic languages in upper-case transliteration). To “transcribe” and translate this material would blur the intellectual point.

Second, both chapters isolate and explore the Roman component in the mixture of cultures characteristic of the Roman Near East and its impact. This is seen in the foundation of colonies or the conferral of the title *colonia* on native cities (chapter 8: “The Roman *Coloniae* of the Near East: A Study of Cultural Relations,” 1990—virtually a monograph), and in the limited use of the Latin language (chapter 9: “Latin in the Epigraphy of the Roman Near East,” 1995). The bilingual and trilingual documents from Palmyra discussed in chapter 9 hammer home the point made by Millar already in his celebrated article on “Epigraphy,”⁷ namely that the richness of the epigraphic tradition comes fully into its own only when epigraphic texts in different languages, the contemporaneous expressions of different but related cultures, are studied together.⁸

A test case for the survival and potential vitality of local cultures underneath the dominant Greek surface is the subject of chapter 10, “Paul of Samosata, Zenobia, and Aurelian: The Church, Local Culture, and Political Allegiance in Third-Century Syria” (1971), which examines the hypothesis that in the events of the 260s and the 270s in Roman Syria “either a man from Samosata or a ruler of Palmyra could have seen themselves as in any sense representatives of the ‘Orient’ as against the Graeco-Roman world.”

The next two chapters should also be read together. They explore the true “Orient,” the one beyond the Euphrates and outside the classical world, in two ways. First, we follow the possibility of the existence of long-distance overland trade with central Asia, with its necessary corollary, caravan cities in the sense used by Millar’s favorite historian, M. I. Rostovtzeff, and with consequences for our understanding of “the ancient economy” (chapter 11: “Caravan Cities: The Roman Near East and Long-Distance Trade by Land,” 1998; cf. *RNE*, 16). And, second, we are taken on a kaleidoscopic journey through the six centuries following Alexander’s conquests, tracing the impact of Greco-Roman culture in the Asian land-mass (chapter 12: “Looking East from the Classical World: Colonialism, Culture, and Trade from Alexander the Great to Shapur I,” 1998).

The third part, “Jews and Others,” revolves around ethnicity and self-definition of various groups. Chapter 13 (“Porphyry: Ethnicity, Language, and Alien Wisdom,” 1997) has already been mentioned, and we may pass on to chapter 14, dedicated to the memory of Menahem Stern, author of the invaluable *Greek and Latin Authors on Jews and Judaism* (3 vols., Jerusalem, 1974–84),⁹ whose life and work

reaffirm Millar's profound belief in the lasting strength of the "national, or ethnic, historical and cultural traditions" of the Jewish people. "The *Arabes* or *Arabioi* of antiquity have so far not had a Menahem Stern to collect and analyse all the classical references to them, which begin in the fifth century with Aeschylus and Herodotus" (chapter 14, text to n. 6). Their legendary common genealogy, however, was not supplied within Greco-Roman mythology but, ironically, within Jewish biblical history, by none other than the Jewish Josephus who saw in them the descendants of Ishmael, son of Abraham and Hagar, thereby making them legitimate heirs to Jewish monotheism, with mighty consequences for the history of Islam ("Hagar, Ishmael, Josephus, and the Origins of Islam," 1993; cf. *RNE*, 8).

Chapter 15 ("Ethnic Identity in the Roman Near East, A.D. 325–450: Language, Religion, and Culture," 1998) encapsulates succinctly the first part of the planned sequel to *RNE*, taking the story of ethnicity, religion, and language down to the middle of the fifth century. The continuing predominance of Greek in this network of Greek cities and in their territories, despite the gradual emergence of Syriac within the Christian church, leaves the complex and fascinating issues of ethnicity, communal identity, and religious belief outside the lines of linguistic demarcation.

It is to be hoped that the challenge thrown down by Millar in chapter 16, "Dura-Europos under Parthian Rule" (1998), will be picked up and the rich epigraphic, papyrological, and architectural evidence will be used to write the history of Hellenistic, Parthian, and Roman Dura. At the very least, the legal documents, their formulae, diplomatics, and language, should be studied (chapter 16, text to notes 27–28) and compared with their counterparts from other sites in the Roman Near East—the documents from the Judean Desert and the archives from the Euphrates, from Nessana, and now from Petra.¹⁰

The last two chapters (chapter 17: "The Jews of the Graeco-Roman Diaspora between Paganism and Christianity, A.D. 312–438," 1992, and chapter 18: "Christian Emperors, Christian Church, and the Jews of the Diaspora in the Greek East, A.D. 379–450," 2004) are about the Jewish diaspora. Not that the Jews are ever out of sight elsewhere in this volume or in *RNE*. An example is the typical statement in the introductory pages to chapter 14:

For what distinguished the Jews from all the other groups which came within the orbit of Graeco-Roman civilisation was precisely the fact

that they already possessed a national religious history, the Bible (even if not yet quite complete in its canonical form), written in a literary language entirely independent of Greek or Latin. Existing as a corpus of literary works, the Bible could be and was translated into Greek in the Hellenistic period.

It is legitimate to ask if the same holds true for Judaism and the Jews in the diaspora as for those of Palestine. At any rate in the period discussed in these last two chapters, in Palestine as elsewhere the Jews, now no longer a majority, were caught between Christianity and a declining paganism, and the issues cannot have been fundamentally different from those outside. What is beyond dispute after reading these two chapters is “that the history of Judaism in late antiquity cannot be confined to Palestine, for we can see that there was a very significant Jewish life in the diaspora” (chapter 18, last paragraph).

With this the third and last volume in the series comes to an end, but not completely; we can trust Fergus Millar not to sit idle when “there is work to be done.” The publication of articles continues.

We may fittingly end with the traditional Jewish exhortation on finishing the reading of each book of the Pentateuch: **H** ZQ **H** ZQ WNT **H** ZQ, which can be loosely translated as “be strong and of good courage.”

Hannah M. Cotton

Jerusalem

30 July 2005

Notes

1. Based on the Carl Newell Jackson Lectures (Harvard, 1987), and published by Harvard University Press, 1993, and in paperback, 1995 (henceforth *RNE*).

2. Duckworth and Cornell University Press, 1977, and a second edition with an afterword, 1992 (henceforth *ERW*).

3. Based on the Jerome Lectures (Ann Arbor, Michigan, autumn 1993, and the American Academy in Rome, 1994) and published by Michigan University Press, 1998.

4. Egypt is absent from this volume as it is essentially absent from *RNE*; cf. Millar’s epilogue in this volume (text to n. 14). Nonetheless, observe the caveats in the prologue to *RNE* against facile identification of language and ethnicity, and the assumption of a common Semitic

culture.

5. Millar's phrasing in *RNE*, 399, referring to G. R. Bowersock, *Hellenism in Late Antiquity* (Thomas Spencer Jerome Lectures, 1990), esp. chap. 3.

6. E. Schürer, G. Vermes, and F. Millar, *The History of the Jewish People in the Age of Jesus Christ, 175 B.C.–A.D. 135*, vols. I–III (Edinburgh, 1973–87).

7. Originally published in 1983 = chapter 2 in F. Millar, *Rome, the Greek World, and the East I: The Roman Republic and the Augustan Revolution* (2002), 44; cf. section 3 of the epilogue to this volume: “A New Approach to Ancient Languages?”

8. The innovative project now under way to create a comprehensive multilingual corpus of all inscriptions, both published and unpublished, from the territory of present-day Israel, from the fourth century B.C.E. to the seventh century C.E. (*Corpus Inscriptionum Iudaeae/Palaestinae* = *CIIP*) owes Millar a great debt; see Cotton et alii, “Corpus Inscriptionum Iudaeae/Palaestinae,” *ZPE* 127 (1999), 307–8.

9. Volume 1 was reviewed by Millar in *SCI* 3 (1976): 173–76.

10. Cf. H. M. Cotton, W. E. H. Cockle, and F. G. B. Millar, “The Papyrology of the Roman Near East: A Survey,” *JRS* 85 (1995): 214–35.

Abbreviations

AAAS *Annales Archéologiques Arabes Syriennes* AAES, *Ann. Arch. Ar. Syr.* American Archaeological Expedition to Syria Abbott and Johnson, *Municipal Administration* F. F. Abbott and A. C. Johnson, *Municipal Administration in the Roman Empire* (1926) Abh. d. Kön. Ges. der Wiss. zu Göttingen *Abhandlungen der Königlichen Gesellschaft der Wissenschaften zu Göttingen* ABSA *Annals of the British School at Athens* AC *L'Antiquité Classique* ADAJ, *Ann. Dept. Ant. Jordan* Annual of the Department of Antiquities of Jordan AE, *Ann. Épig. L'Année Épigraphique* AJA, *Am. Journ. Arch.* American Journal of Archaeology AJAH *American Journal of Ancient History* AJBA *Australian Journal of Biblical Archaeology* AJPh *American Journal of Philology* Am. Num. Soc. Mus. Notes American Numismatic Society, *Museum Notes* Anat. Stud. *Anatolian Studies* Ann. Sc. N. Sup. Pisa *Annali della Scuola Normale Superiore di Pisa* ANRW *Aufstieg und Niedergang der römischen Welt* BAR Int. Ser. *British Archaeological Reports, International Series* BASOR *Bulletin of the American Schools of Oriental Research* BCH *Bulletin de Correspondance Hellénique* BE, *Bull. Épig. Bulletin Épigraphique*, published in *Revue des Études Grecques* BEFAR, *Bib. Ec. Fr. Ath. Rom. Bibliothèque des Écoles Françaises d'Athènes et de Rome* BES *Bulletin d'Épigraphie Sémitique*, published in Syria BGU *Aegyptische Urkunden aus den Königlichen (later Staatlichen) Museen zu Berlin*, *Griechische Urkunden* BIAB *Bulletin de l'Institut Archéologique Bulgare* Bibl. Arch. Rev. *Biblical Archaeology Review* BICS *Bulletin of the Institute of Classical Studies of the University of London* BJ, *Bonn. Jahrb. Bonner Jahrbücher des Rheinischen Landesmuseums in Bonn und des Vereins von Altertumsfreunden im Rheinlande* BMC Arabia, *BMC Mesopotamia* G. F. Hill, *Catalogue of the Greek Coins of Arabia, Mesopotamia and Persia in the British Museum* BMC Palestine G. F. Hill, *Catalogue of the Greek Coins of Palestine in the British Museum* BMC Phoenicia G. F. Hill, *Catalogue of the Greek Coins of Phoenicia in the British Museum* BMC Syria W. W. Wroth, *Catalogue of the Greek Coins of Galatia, Cappadocia and Syria in the British Museum* Bull. Mus. Beyrouth *Bulletin du Musée de Beyrouth* Bull. Sch. Or. and Afr. Stud. *Bulletin of the School of Oriental and African Studies* Bull. Soc. Ant. Alex. *Bulletin de Société des Antiquaires d'Alexandria* Bull. Soc. Nat. Ant. France *Bulletin de la Société Nationale des Antiquaires de la France* CAH *Cambridge Ancient History* CCL, *Corpus Christ. Lat., Corp. Christ. Lat. Corpus Christianorum, Series Latina* Chron. d'Ég., *CE Chronique d'Égypte* CIG *Corpus Inscriptionum Graecarum* CIL *Corpus Inscriptionum Latinarum*

CIS Corpus Inscriptionum Semiticarum Class. Phil., CPh Classical Philology
 Corp. Ins. Jud., CIJ J.-B. Frey, Corpus Inscriptionum Judaicarum. Recueil
 des inscriptions juives qui vont du III^e siècle avant Jésus-Christ au VIII^e
 siècle de notre ère I–II (1936–52) Corpus. Gloss. Lat. Corpus Glossariorum
 Latinorum CPJ Corpus Papyrorum Judaicarum I–III CQ Classical Quarterly
 CR Classical Review CRAI Comptes-rendus de l'Académie des Inscriptions
 CSCO Corpus Scriptorum Christianorum Latinorum CSEL Corpus
 Scriptorum Ecclesiasticorum Latinorum Dam. Mitt. Mitteilungen des
 Deutschen Archäologischen Instituts, Damaszener Abteilung Devijver,
 Pros. milit. Equestr. H. Devijver, Prosopographia Militiarum Equestrum
 quae fuerunt ab Augusto ad Gallienum I–V (1976–93) Dial. di Arch.
 Dialoghi di Archeologia Diz. Epig. Dizionario Epigrafico DJD Discoveries
 in the Judean Desert I–XXIX (Oxford, 1955–) EHR, Econ. Hist. Rev.
 Economic History Review Eph. Theol. Lovanienses Ephemerides Theologiae
 Lovanienses Epigr. Anat. Epigraphica Anatolica FGrHist., FGrH F. Jacoby,
 Die Fragmente der griechischen Historiker FHG C. Müller, Th. Müller, et
 al., Fragmenta Historicorum Graecorum I–V (1853–70) GGM Geographi
 Graeci Minores, ed. C. Müller (1855–61) GRBS, Gr. Rom. and Byz. St.
 Greek, Roman and Byzantine Studies HSCPh, HSCP, Harv. Stud. Class.
 Phil. Harvard Studies in Classical Philology HThR, Harv. Th. Rev. Harvard
 Theological Review ID, Ins. Délos Inscriptions de Délos (1926–29, 1935)
 IEJ Israel Exploration Journal IG Inscriptiones Graecae IGBulg.
 Inscriptiones Graecae in Bulgaria repertae IGLS, Ins. Gr. et Lat. de la Syrie
 Inscriptions Grecques et Latines de la Syrie IGR Inscriptiones Graecae ad
 Res Romanas Pertinentes IJudO Inscriptiones Judaicae Orientis I: Eastern
 Europe, ed. D. Noy, A. Panyatov, and A. Bloedhorn; II: Kleinasien, ed.
 W. Ameling; III: Syria and Cyprus, ed. D. Noy and H. Bloedhorn (2004)
 I. K. Alexandria Troas Inschriften griechischer Städte aus Kleinasien:
 Alexandria Troas I. K. Central Pisidia Inschriften griechischer Städte aus
 Kleinasien: Central Pisidia I. K. Lampsakos Inschriften griechischer Städte
 aus Kleinasien: Lampsakos ILS Inscriptiones Latinae Selectae I–III Ins.
 Didyma II, Die Inschriften Inventaire, Inv. Inventaire des Inscriptions de
 Palmyre I–, ed. J. Cantineau (1930–) IRT Inscriptions of Roman
 Tripolitana Isr. Num. Journ. Israel Numismatic Journal Ist. Mitt.
 Mitteilungen des Deutschen Archäologischen Instituts, Istanbul
 Abteilung Jahrb. d. Öst. Byz. Ges. Jahrbuch der Österreichischen
 Byzantinischen Gesellschaft Jahrb. f. Ant. u. Chr. Jahrbuch für Antike und
 Christentum JBL, Journ. Bib. Lit. Journal of Biblical Literature JEA
 Journal of Egyptian Archaeology JHS, Journ. Hell. Stud. Journal of
 Hellenic Studies JJS, Journ. Jew. Stud. Journal of Jewish Studies JNES
 Journal of Near Eastern Studies Journ. Med. Stud. Journal of

Mediterranean Studies JQR *Jewish Quarterly Review* JRA *Journal of Roman Archaeology* JRS, *Journ. Rom. Stud.* *Journal of Roman Studies* JS *Journal des Savants* JSJ *Journal for the Study of Judaism* JSS *Journal of Semitic Studies* JThS, *JThSt*, *Journ. Theol. Stud.*, *J. Theol. St.*, *J. Th. St.* *Journal of Theological Studies* KAI *Kanaanäische und Aramäische Inschriften*³, ed. H. Donner and W. Rölling (1971–76) MAMA *Monumenta Asiae Minoris Antiqua* Med. Hist. Rev. *Mediterranean Historical Review* Mél. Univ. St. Joseph, MUSJ *Mélanges de l'Université Saint-Joseph* Mém. Miss. Arch. Iran *Mémoires de la Mission Archéologique Française en Iran* Mém. Soc. Nat. Ant. Fr. *Mémoires de la Société Nationale des Antiquaires de France* Migne, PG See PG MUSJ See Mél. Univ. St. Joseph NC, Numis. Chron. *Numismatic Chronicle* Num. Notes and Monog. *Numismatic Notes and Monographs* OA *Oriens Antiquus* OGIS *Orientis Graeci Inscriptiones Selectae* I–II P.Cair.Zen., PCZ *Zenon Papyri*, *Catalogue Général des Antiquités Égyptiennes du Musée du Caire* I–V P. Dura *The Excavations at Dura-Europos conducted by Yale University and the French Academy of Inscriptions and Letters*, Final Report V, Part I, *The Parchments and Papyri*, ed. C. B. Welles, R. O. Fink, and J. F. Gilliam (1959) P. Lond. *Greek Papyri in the British Museum* P. Oxy. *The Oxyrhynchus Papyri* PAES *Princeton Archaeological Expedition to Syria* PAT *Palmyrene Aramaic Texts*, ed. D. R. Hillers and E. Cussini (1996) PCPS, *Proc. Camb. Phil. Soc.*, PCPhS, PCPS, *Proc. Proceedings of the Cambridge Philological Society* PEQ *Palestine Exploration Quarterly* PG *Patrologia Graeca* PL *Patrologia Latina* PO, *Patr. Or.* *Patrologia Orientalis* Proc. Brit. Acad. *Proceedings of the British Academy* P-W, RE *Pauly-Wissowa, Realencyclop ⁱⁱⁱ die der Klassischen Altertumswissenschaft* QDAP *Quarterly of the Department of Antiquities in Palestine* RAC *Reallexikon für Antike und Christentum* RB *Revue Biblique* RE See P-W Rec. Arch. Or. *Recueil d'Archéologie Orientale* REG *Revue des Études Grecques* Rev. Ét. Juives *Revue des Études Juives* Rev. hist. relig., *Rev. Hist. Rel.*, RHR *Revue de l'Histoire des Religions* Rev. Num., RN *Revue Numismatique* Rev. Or. Chr. *Revue de l'Orient Chrétien* Rev. Phil. *Revue Philologique* Rev. Sci. Rel. *Revue de Sciences Religieuses* Riv. Arch. Cr. *Rivista di Archeologia Cristiana* RPC *The Roman Provincial Coinage* I–II, ed. A. Burnett, M. Amandry, and P. P. Ripollès (1992–) Schürer, Vermes, and Millar, *History* E. Schürer, G. Vermes, and F. Millar, *The History of the Jewish People in the Age of Jesus Christ, 175 B.C.–A.D. 135* I–III (1973–87) SCI *Scripta Classica Israelica* SDB *Supplément au Dictionnaire de la Bible* SEG *Supplementum Epigraphicum Graecum* Sel. Pap. *Select Papyri*. The Loeb Classical Library SNG *Sylloge Nummorum Graecorum* Stern, *Greek and Latin Authors* M. Stern, *Greek and Latin*

Authors on Jews and Judaism I–III (1974–84) *Syll.*³ *Sylloge Inscriptionum Graecarum* I–IV³ *TAPhA* *Transactions of the American Philological Association* *TLS* *Times Literary Supplement* *YCS*, *Yale Class. Stud.* *Yale Classical Studies* *ZDMG* *Zeitschrift der Deutschen Morgenl ä ndischen Gesellschaft* *ZDPV* *Zeitschrift des Deutschen Pal ä stina-Vereins* *ZPE*, *Zeitschr. f. Pap. u. Epig.* *Zeitschrift für Papyrologie und Epigraphik* *ZSS*, *ZRG* *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Romanistische Abteilung*

Rome, the Greek World, and the East



The Roman Empire, ca. 160 A.D.

PART I

The Hellenistic World and Rome

CHAPTER ONE

The Problem of Hellenistic Syria



And it came to pass after the victory of Alexander the son of Philip, the Macedonian, who came out from the land of Kittim and smote Darius, king of the Persians and Medes . . . and started many wars and conquered many fortified places and slew the kings of the earth. . . . And his sons ruled, each in his own place, and after his death they all assumed diadems, and his sons (ruled) after him for many years and multiplied evils in the land.

—1 Maccabees 1.1–9

The first book of Maccabees in its opening paragraph reflects an important aspect of the impact of Hellenistic rule in Syria, the prevalence of conflict, war, and instability. It does also, however, illustrate something quite different, the possibility of a communal historical consciousness and a national culture which might provide a framework within which a community in the Syrian region could have absorbed and reacted to the fact of Greek conquest. That this was true of the Jewish community of Jerusalem is beyond all question.¹ 1 Maccabees, written originally in Hebrew, directly continues the tradition of Old Testament historiography. It has indeed also been argued that Chronicles and the books of Ezra and Nehemiah were also written in the Hellenistic period.² If that is dubious, the book of Ecclesiasticus (Ben Sira) was certainly written around 200 B.C. or soon after, and Daniel, in its final form, in the 160s.³

The culture of Judaea and Jerusalem thus exhibits both a profound continuity with the pre-Greek past and an equally undeniable absorption of Greek elements.⁴ As is well known, the first attested use of the word *hellenismos* comes in 2 Maccabees (4.13) and refers to the enrolment of the Jerusalemites as “Antiochians,” the setting up of a gymnasium, and the wearing of Greek clothes.

We can therefore use Maccabees to pose at least one of the many questions which can in principle be asked about Hellenistic Syria. By “Hellenistic” in this sense I mean simply the period from Alexander to the mid-first century B.C. By “Syria” I mean anywhere west of the Euphrates and south of the Amanus Mountains—essentially therefore the area west of the Euphrates where Semitic languages were used:

Aramaic in its various dialects, Phoenician, Hebrew, and earlier forms of Arabic. This begs a question about Asia Minor (and especially Cilicia), from which Aramaic documents are known, and a far more important one about northern Mesopotamia and about Babylonia. Should we not, that is, see the various Aramaic-speaking areas of the Fertile Crescent as representing a single culture, or at any rate closely connected cultures, and therefore not attempt to study the one area without the others?

The first question is one of cultural identity. Can we observe elsewhere in Syria, that is, outside Judaea, either the continued survival of a non-Greek culture or the fusion (*Verschmelzung*) in Droysen's sense of Greek and non-Greek cultures? As I have argued elsewhere, there is perhaps just enough evidence to show that this was the case in the Phoenician cities of the coast.⁵ But elsewhere, with the exception of Judaea, we meet a problem which haunts one and all of the questions we would like to ask. If we are going to ask about the nature or limits of Hellenisation, there is a prior question: the Hellenisation of what? Whether we think of northern Syria, the Orontes valley, or Damascus, or present-day Jordan, we find that almost nothing is known, from either literary or documentary or archaeological evidence, about what these places were like in the Achaemenid period.⁶ Our best evidence for the personal life, nomenclature, and religious observances of non-Jewish Aramaic speakers in the Achaemenid period comes in fact from the private letters in Aramaic from Egypt.⁷ The not very numerous monumental inscriptions in Aramaic from Syria are no later than the seventh century B.C.⁸ The only known cuneiform archive from Syria, found near Aleppo and dating to the Neo-Babylonian and early Achaemenid periods,⁹ will serve to remind us of how much we do not know. The only cuneiform tablet of the Achaemenid period so far discovered in Jordan is, however, more revealing.¹⁰ Written in Harran in the first year of a king named Darius, it records a sale by two people with Aramaic names to a person whose father has the Edomite/Idumaeen name of Qusu-yada'. It was found at Tell Tawilan near Petra and thus clearly reflects the type of movement and interchange round the Fertile Crescent hinted at above. It is also significant that the same Idumaeen name reappears on an Aramaic-Greek bilingual *ostrakon* of the third century B.C. (text to n. 49 below). By contrast, formal inscriptions in Aramaic are rare.¹¹ Otherwise, it is only in Teima in north-west Arabia, on the southern borders of what would later be the Nabataean kingdom, that we can find Aramaic inscriptions, west of

the Euphrates and south of the Amanus, in the Achaemenid period itself.¹² Aramaic ostraca of the Persian period are, however, known from a number of sites in Israel, for example, Beer-Sheva and Arad.¹³ It can reasonably be expected that archaeological investigation in areas outside present-day Israel would produce more; and Aramaic material of the Persian period has, for instance, been discovered at Tell el Mazar in Jordan.¹⁴

For the moment our evidence on Achaemenid Syria is very limited,¹⁵ and what we know of its social and economic history is still largely dependent on passing allusions in classical sources, for instance, Xenophon's account of his march across northern Syria from Myriandrus, a Phoenician trading post, through an area of villages, and one satrapal palace and associated *paradeisos*, to the city of Thapsacus on the Euphrates (*Anab.* 1.4.6–11). There were apparently no cities on the route which they took between the coast and the Euphrates at that moment. Did they deliberately avoid Aleppo, or had it declined as a city? Of the inland cities of the Syrian region which may still have been inhabited in the Persian period, only Damascus is really certain. It was there that Parmenio captured the treasures of Darius (Curt. 3.12.27; Arrian *Anab.* 2.11.9–10); and Strabo 16.2.20 (756) says that it was the chief city of Syria in the Persian period. Berossus also reports (*FGrHist.* 680 F 11) that Artaxerxes II (405/404–359/358 B.C.) set up images of Artemis Anaitis in various places, including Ecbatana, Babylon, Susa, Sardis, and Damascus.

Our ignorance of Achaemenid Syria is a major problem also for any assessment of the economic consequences of the Macedonian conquest. From a “Marxist” standpoint, for instance, the late Heinz Kreissig argued that the Seleucid empire continued to be based on the “Asiatic mode of production,”¹⁶ meaning the labour of peasants who were not slaves and owned their own means of production but were dependent on those to whom they paid their surplus. Pierre Briant, from a similar standpoint, once equated the “Asiatic mode of production” with the “royal economy” briefly sketched in the Aristotelian *Oeconomica* 2.¹⁷ But if we look for specific and provable instances of dependent villages in Syria in the Achaemenid period, we will find precisely, and only, those in northern Syria which Xenophon states had been granted to Parysatis (*Anab.* 1.4.9). We need not dispute Briant's generalisation that the village was a predominant social formation throughout the Near and Middle East through both the Achaemenid and the Hellenistic periods. But we do *not* know what

was the typical set of existing economic relationships into which the Macedonian conquest obtruded.

The fact of military conquest is indeed about all that is clear from the early Hellenistic period. Beyond that we would want to ask, for instance, some of the following questions: (1) What new Greek cities were founded, when, and where? (2) Were they accompanied by Greek or Macedonian settlement in the surrounding territories? (3) What substantial changes, if any, accompanied the acquisition of Greek *names* by existing cities? (4) Was there significant immigration and settlement by Greek speakers outside the context of city foundations? (5) Are we to think of a degree of social and cultural fusion between Greek settlers and the existing population, or rather, as Briant has argued,¹⁸ of the Greeks forming separate enclaves? (6) Did the period see the introduction into Syria of what “Marxists” define as the “ancient mode of production,” that is, one based on a monetary economy, private property, and the exploitation of slave labour? Any temptation to make sweeping generalisations in this topic should be tempered by the important evidence of the papyri from the Wadi Dâliyeh, north of Jericho.¹⁹ They date to the third quarter of the fourth century, and may well have been deposited in the cave where they were found in the aftermath of the Samaritan rising of circa 332 B.C. One document of 335 B.C. records the sale of a slave for thirty-five pieces of silver. There were also a number of coins, imported and local (especially Tyrian), as well as seal impressions.

These documents are also potentially relevant to a final question: (7) What changes were brought about, outside the area of Greek settlement, in the culture of the inhabitants, for example, in literacy? What combination of literacy was there in Semitic languages (Hebrew, Jewish Aramaic, Phoenician, and later Nabataean Aramaic), in Greek, in both, or in neither?

The only substantial area where it is beyond question that new city foundations transformed the map of the region is northern Syria, with Seleucus I's foundation of Antioch, Apamea, Seleucia, and Laodicea, a process brilliantly described by Seyrig.²⁰ Near Antioch there was said to have been briefly a city “Antigoneia,” founded by Antigonus Monophthalmus and settled by Athenians (so Malalas, apparently following a chronographer named Pausanias, *FGrHist.* 854 F 10). At Laodicea there was similarly said to have been a village called “Mazabda,” and at Apamea one called “Pharnace” (*FGrHist.* F 10, 9–10).

Excavations on this site have revealed one object from the Persian period, a fragment of an Attic pyxis.²¹ What is significant is that it is *only*, so far as I have discovered to date, in the area of these cities that we find smaller settlements with Greek or Macedonian names. For instance, Diodotus Tryphon, who seized the Seleucid throne in the 140s, came from a *phrourion* (fortified settlement) called "Cassiana," which, like others with the names "Larissa," "Megara," "Apollonia," and so forth, belonged to Apamea, where Tryphon was educated (Strabo 16.2.10 [752]). Even so, there were also villages in the territory of Apamea with non-Greek names, like the *k ̄ m ̄ Kaprozabadai ̄ n* (the village of the Karpazabadaioi) which an inscription reveals.²² The word "Kapro" reflects Kfar, meaning "village," in Aramaic, as in Hebrew.²³ Some thirty miles east of Antioch, there was a village with the name "Maroneia," which may be Greek; but, at any rate in the fourth century A.D., a person from there would speak Syriac (Jerome, *V. Malchi* 2). Similarly, twenty kilometres north of Laodicea there was a place called "Heraclea Thalasse" (*IGLS* IV, 1252, of 108/7 B.C.; cf. Pliny, *NH* 5, 79). If there was any area where Greek settlement may have produced significant direct effects on property relations and "modes of production," it will have been in the territories surrounding the new cities of the north Syrian tetrapolis.

Elsewhere concrete evidence for new city foundations of the earlier Hellenistic period is remarkably sparse. There were none along the Phoenician coast or in Idumaea or Judaea. Late sources record that a Macedonian settlement was established by Alexander or Perdiccas on the site of Samaria.²⁴ In this case there is substantial archaeological evidence which can be brought into relation with this settlement. The round towers added to the existing wall of the acropolis are dated to the late fourth century; an outer circuit of walls, with square towers, perhaps belongs to the second century B.C.²⁵ It seems certain that this small fortified town on a hill-top is that of the Macedonian settlers and their descendants, to be distinguished from the Samaritans proper, who in the later fourth century had established their own temple on Mount Gerizim.²⁶

The cults followed by the settlers are illustrated (if no more than that) by a finely cut inscription of the third century B.C. from Samaria with a dedication by Hegesander, Xenarchis, and their children to Sarapis and Isis.²⁷ But in many places we cannot be *certain* what social changes are implied by the appearance of cities with Macedonian

place-names, like Beroea, Cyrrhus, or Gindarus in the north-east, or Pella or Dium in Jordan.²⁸ Excavations at Pella have revealed some evidence of the earlier Hellenistic period.²⁹ But Cyrrhus, for example, makes no appearance at all in our sources until 6,000 “Cyrrhastian” soldiers are recorded as mutinying against Antiochus III in 220.³⁰ It is reasonable to believe that it was a Macedonian settlement of the early period, like Dura-Europos on the Euphrates. But again, very little is known of the social character of Hellenistic Dura except the vital item that some at least of the land there was classified as *kl ē roi* (lots; *P. Dura* 15, second century B.C.). As a physical structure it was, like Samaria, a fortified site of moderate extent (the three longer sides measuring just under 1,000 metres each), sited on a plateau above the Euphrates, and later equipped with walls. Internally, it was set out in regular blocks on the well-known Hippodamian plan, with a central agora. It is uncertain which, if any, temples can be attributed to the initial Hellenistic phase. No evidence for a theatre or other public buildings of this period has been found.³¹ It is natural to presume that we should envisage both Samaria and Dura as Macedonian military settlements, placed for strategic purposes in alien landscapes, and with modest pretensions to being the bearers of a wider Greek culture. In the case of many other foundations there is still less evidence. Beroea (Aleppo) is recorded as a foundation of Seleucus I (Appian, *Syr.* 57). Once again we have nothing to show whether the ancient city of Aleppo still existed at the moment of the settlement; but the street plan to this day reflects the rectangular axes which may well be those of the colony.³²

The same problems persist if we look at places which subsequently gained Hellenistic dynastic names: Philadelphia (Amman) and Ptolemais (Acco) from Ptolemy Philadelphus (near here Strabo 16.2.27 [758], notes three place-names which may reflect Ptolemaic rule: “Sykamin *ē n polis*,” “Boukol *ē n polis*,” and “Krokodeil *ē n polis*”). Epiphaneia (Hama) presumably gained its name from Antiochus IV Epiphanes. This was of course another ancient city, which, as Josephus records, the natives (*epich ē rioi*) still called “Hama” (*Ant.* 1, 138). But, paradoxically, excavations on the site have seemed to suggest that it was unoccupied between its destruction by Sargon II in 720 and the beginning of Greek settlement in the second century B.C.³³ On the other hand, Sargon is recorded to have settled 6,300 Assyrians there, and there continue to be occasional mentions of Hama as a place in documents of the intervening period;³⁴ the archaeological evidence should not be interpreted on the *assumption*

that the site was desolate after 720,³⁵ and imported Hellenistic pottery appears there before the reign of Antiochus IV.³⁶ The evidence for continuity of settlement is therefore ambivalent; and while the evidence for the Hellenistic city remains unpublished, it is impossible to say whether it would suggest the implantation of an organised settlement at a specific moment. But if Epiphaneia did receive an actual settlement of Greeks, there was certainly no such settlement in Jerusalem in the 170s, when the population briefly acquired the title "Antiocheis." The settlement on the Akra in Jerusalem in the 160s was another matter.

The provable extent of organised Macedonian or Greek settlement is thus limited to one area, north Syria. Other towns which acquired Greek names may well also have received settlements, but some certainly did not. If we consider the entire non-desert area west of the Euphrates, Greek colonial settlement must be regarded as a relatively limited phenomenon, largely restricted in time also, to the reign of Seleucus I. Whatever created the conditions for a large-scale transformation, fusion, or conflict, if anything did, it was not, except in northern Syria, a massive process of colonisation.

Was there none the less extensive private immigration, either for settlement on the land or for other purposes, such as trading in slaves? Here again we have to say that we do not know. We can easily illustrate, for instance, the presence in Syria of Ptolemaic soldiers from various parts of the Greek world; the inscription from Ras Ibn Hani on the coast eight kilometres north of Laodicea³⁷ which records some of these is the earliest Greek public inscription from northern Syria, dating to about the second half of the third century. Excavations on this site have shown that a fortified Greek town, whose name remains unknown, was established there in the same period, probably by the Ptolemies.³⁸ Greeks also entered the service of local dynasts: a papyrus from the Zenon archive shows us soldiers from Cnidus, Caunus, Macedon, Miletus, Athens, and Aspendus serving in 159 under Tobias in Ammonitis (PCZ 59003 = CPJ I, 1). In the second century we come across a Macedonian settled at Abae in Arabia and married to an Arabian wife (Diod. Sic. 32, 10, 2), or a *politeuma* of Caunians settled in Sidon (OGIS 592). No doubt we could accumulate further illustrations; but it would hardly be significant, since it would be more than surprising if there had been no Greek private settlement in this region. But it does have to be emphasised that there is no positive evidence to suggest that there was private immigration on a scale

which would by itself have brought profound changes in culture, social relations, or the economy.

If we go back to the major cities of the Syrian tetrapolis, there is certainly adequate evidence to illustrate their character as Greek cities in the Hellenistic period. It should be stressed that in the absence of large-scale documentary evidence we still depend quite significantly on passing items of narrative material, like the papyrus report (the Gurob papyrus) from the Ptolemaic side, of Ptolemy III's invasion of Syria in the 240s.³⁹ It records the priests, *archontes* (annual magistrates), and the other citizens of Seleucia, with the *hē gemones* (officers of the Seleucid garrison) and soldiers, coming down to greet the invading forces. A similar scene is said to have followed at Antioch, with a ceremonial greeting before the city by "satraps and other *hē gemones*, and soldiers and *synarchiai* [magistrates] and all the *neaniskoi* [youth] from the gymnasium," and the rest of the population, bearing cult images. Seleucia does not reappear in our evidence until we come to Polybius book 5, and the narrative of its recapture by Antiochus III in 219; it turns out to be a place of modest size, with some 6,000 "free men" (which may mean citizens only, or all non-slave male inhabitants); perhaps therefore some 30,000 persons in all (5, 61, 1). These cities produce nothing like the vast harvest of monumental Greek inscriptions which characterise (say) Delphi, Delos, or some of the Greek cities of western Asia Minor in this period. It is true that at Antioch, Seleucia, and Laodicea subsequent occupation greatly limits the possibilities of excavation; there is some scanty evidence on early Hellenistic Laodicea.⁴⁰ But it should still not be assumed that the social conditions which elsewhere led to the large production of public inscriptions necessarily applied in Syria in the same way. Public inscriptions from Seleucia in Pieria do reveal, for instance, the vote of a statue for the Seleucid *epistatēs* (overseer) of the city in 186 B.C.;⁴¹ or a letter of Antiochus VIII or IX, of 109 B.C., confirming the freedom of the city.⁴² There is no substantial corpus of the public inscriptions of Seleucia; excavation of the relevant public buildings, when identified, might of course reveal them. From Laodicea the only known public decision recorded on stone from the Hellenistic period is the *gnōmē* (proposal) of Asclepiades and the *archontes*, approved by the *peliganes* (the councillors, a Macedonian word) in 174 B.C. (*IGLS* IV, 1261), concerning the sanctuary of Isis and Sarapis. From Antioch and Apamea there are no public decrees at all surviving from the Hellenistic period; though one inscription from Antioch shows the

roi (sacred delegates) honouring an *agōnothetēs* (director of an *agōn*, i.e., public games) from Seleucia in 198/7 B.C.;⁴³ and one from Daphne shows Antiochus III appointing a priest there.⁴⁴ Passing literary references indicate at least the existence of gymnasia at Laodicea (Appian, *Syr.* 46) and at Daphne near Antioch (Polyb. 30, 26, 1) and, for example, of a hippodrome near Seleucia (Polyb. 5, 47, 1). Posidonius' remarks on the luxury of life in Syria (*Ath.* 210e–f = 527e–f) imply that gymnasia were common. None of these cities, however, has revealed any trace of a theatre that can be firmly dated to this period. It is surely, I think, a revealing fact that there is no certain archaeological evidence for a theatre of the Hellenistic period anywhere in the Syrian region. Given the relative indestructibility of theatres built against hillsides, as Hellenistic theatres normally were (e.g., those of Priene or Delos), this is one case where negative evidence may be suggestive.⁴⁵

Outside the places which we know to have been royal foundations, or to have acquired Greek names, we do have some evidence, from various periods, of the spread of a recognisably Greek way of life. A site called Ayin Dara, north-east of Aleppo, for instance, shows traces of occupation in the Persian period and then a substantial urban area with walls from the Hellenistic period, with pottery and coins of the second and first centuries B.C.⁴⁶ This site, whose Greek name, if it had one, is unknown, is a reminder of just how much of the evidence of Hellenistic Syria may simply be lost. For contrast we have Tel Anafa in northern Galilee, whose heated bath-house of the later second century B.C. is the earliest known from the Near East;⁴⁷ and the well-known site of Marisa in Idumaeon, a small urban settlement of six acres, built in the third or early second centuries B.C., and enclosed by a fortification wall. Greek was in use there, as shown by some execration texts in Greek, and the inscriptions on the well-known painted tombs. But the house-types are non-Greek and at least some of the inhabitants identified themselves in Greek as “Sidonians in Marisa.”⁴⁸ The mixed culture of this area in the third century B.C. is vividly illustrated by a group of ostraca from Khirbet el-Khazir, four in Aramaic, one in Greek, and one Greek-Aramaic bilingual; the latter records the borrowing of thirty-two ZUZN by Niceratus from one Qusyada/Kosides, described (in both texts) by the Greek word *kapēlos*, “trader.”⁴⁹ This text, probably of 277 B.C., thus reveals *kapēlos* as a loan-word in a dialect of Aramaic. These ostraca are closely paralleled by an Aramaic ostrakon of the third century from Jerusalem, also containing what seem to be two Greek loan-words.⁵⁰

The ostrakon is given the date 277 on the supposition that the “sixth year” referred to in it is that of Ptolemy Philadelphus. Most of the evidence which illustrates Greek economic activity in Syria comes from the Ptolemaic phase of control. All we have is fragments, occasionally illuminating. Some cities, as we saw, gained dynastic names, Akko becoming “Ptolemais,” and Rabbat-Amman “Philadelphia.” Scythopolis and Philoteria in Galilee must also have gained their Greek names in the Ptolemaic period. Our main evidence comes from the Zenon papyri, discussed by Tcherikover.⁵¹ These papyri, of course, owe their survival to the particular conditions of Egypt, and thus cast a side-light on Syria somewhat comparable to that shed by the Aramaic documents from Egypt of the Achaemenid period (text to note 7 above). But while the relevant climatic and soil conditions, allowing the survival of perishable writing materials, very rarely apply in the Near East, they are not wholly unknown, as the documents from the Judaean Desert show.

The first thing that the Zenon papyri clearly illustrate is the slave trade. Among the immigrant Greek *kl ē rouchoi* (colonists) serving at BIRTHA in Ammonitis under Tobias, mentioned earlier (PCZ 59003 = CPJ I, 1), one sells a slave girl named Sphragis, apparently from Babylon or Sidon, to another, who then sells her to Zenon. In Marisa Zenon also bought some slaves (*s ē mata*), two of whom escaped and had to be searched for (59015). One Meneclēs appears as having transported some slaves and other merchandise (*phorta*) from Gaza to Tyre, and as intending to tranship them without paying the export tax or having an export permit (*exag ē g ē t ē n s ē mat ē n*) (PCZ 59093). Tobias also sends to Apollonius a group of four slaves as a gift, two described as circumcised and two not (PCZ 59076 = CPJ I, 5). There is no obvious reason in the text for regarding either of the circumcised men as Jewish; if they were not, then this is evidence for the continuation of the custom of circumcision among the Syrians generally in the Hellenistic period.

Much more informative for the continuity of a non-Greek culture is a papyrus letter of 156 B.C. from Egypt mentioning a slave who was “by race a Syrian from Bambyce” who was “tattooed on the right wrist with two barbarian letters.”⁵² The letters can only have been Aramaic ones; Bambyce is Hierapolis, an important centre of a non-Greek culture, on which see further below. Lucian, *On the Syrian Goddess*, written in the second century A.D., which is about the goddess Astarte of Hierapolis, records (59) that the Syrian adherents of the cult were

tattooed on the neck or wrist—"and thence all Assyrioi bear tattoos."

To come back to the economic impact of Greek rule, slavery and the slave trade were clearly a feature of it; but whether this was a *novelty* remains unclear. The most striking reflection of slavery in Hellenistic Syria remains the well-known edict of Ptolemy II Philadelphus dating to April 260, which surely can be taken to illustrate a causal connection between foreign domination and slavery:⁵³ "If any of those in Syria or Phoenicia have bought a *s ὄ μα laikon eleutheron* [free native]," or have acquired one in any other way, they are required to prove that they were slaves at the time of acquisition. Those bought at royal auctions, however, are legally owned even if they claim to be free. Moreover soldiers or others who are settled (*katoikount ὄ n*) who are living with *gunaikes laikai* (native wives) need not declare them as slaves. In the future it will be forbidden to acquire possession of *s ὄ mata laika eleuthera* except those sold up by the superintendent of the revenues of Syria and Phoenicia. Whatever the legal definitions involved, the order clearly reflects a notion of the particular liability of the free "native" population of south Syria to slavery; in particular it is significant that the document has to make clear that the "native" wives of Ptolemaic soldiers and settlers do *not* have to be categorised as slaves. Strikingly, in this case, the king is taking steps to limit the circumstances under which individuals found themselves regarded as slaves.

As was hinted earlier, any notions of what social, economic, cultural, or social status is implied by the expression *s ὄ mata laika eleuthera* must remain hypothetical. Even if we disregard acute regional variations (see below), it is no use pretending that we have any idea of the typical forms of property relations in the Syrian area either before or after Alexander's conquest. We can of course see *examples* of various different things, for instance, the exploitation of private landed property in the Ptolemaic period in Palestine, perfectly exemplified in a papyrus from the Zenon archive (*P. Lond.* 1948) of 257 B.C. An agent, Glaucias, is writing to Apollonius about his enormous vineyard at Bethaneth, which was somewhere in Galilee: "On arrival at Bethaneth I took Melas with me and inspected the plants and everything else. The estate seems to me to be satisfactorily cultivated, and he said the vines numbered 80,000. He has also constructed a well, and satisfactory living quarters. He gave me a taste of the wine, and I was unable to distinguish whether it was Chian or local. So your affairs are prospering and fortune is favouring you all

along the line.” This does on the face of it seem to be an example of the deliberate increase of productive capacity of a sort which, for Ptolemaic Egypt generally, Alan Samuel sought to deny.⁵⁴ There is, however, no indication of how the estate was worked, whether by slave labour, free hired labour, or dependent villagers. The question of dependent, but non-slave, agricultural labour in the Hellenistic world has attracted an enormous amount of attention. But the evidence comes almost entirely from Seleucid land grants or sales in Asia Minor; moreover, the real social and economic relations alluded to in these inscriptions remain extremely obscure.⁵⁵ It is also from Asia Minor, and entirely from Strabo’s *Geography*, that we have almost all the available descriptions of large communities of *hierodouloi* (sacred slaves) attached to temples.⁵⁶ Comparable evidence is hardly available from Syria. There are, I think, just three items. First is the mutilated inscription from Hephzibah near Scythopolis (Bethshean) first published by Landau 1966 and re-edited by Fischer 1979.⁵⁷ The dossier contains petitions to Antiochus III from Ptolemaeus, described as *stratēgos* (general) and *archiereus* (high priest), and the king’s replies, concerning properties owned by Ptolemaeus. The context is immediately after the Seleucid conquest in 200. All that is clear is that the dossier speaks of *kōmai* (villages) “of” Ptolemaeus, and that as owner he is concerned to protect the people (*laoi*) in his villages from official exactions and the quartering of troops (*epistathmeia*). One phrase may imply that some *kōmai* had been inherited by him, and others added by the king’s command. We can accept that the document embodies the notion of owning villages and (in some sense) of owning or being responsible for the people who inhabit them.

Further north, from the hills inland from Aradus, we have the famous inscription of the temple of Baetocaece.⁵⁸ In response to a report about the *energeia* (power) of the god Zeus of Baetocaece, King Antiochus—which one is uncertain⁵⁹—announces his decision to grant to the god the village of Baetocaece, which a certain Demetrius formerly “had” (*eschen*), so that its revenue (*prosodos*) may be spent on the sacrifice, and any other steps taken for the improvement of the shrine by the priest appointed by the god. There is to be a monthly tax-free fair, the sanctuary is to have the right of asylum, and the village is on no account to be subject to billeting.

It is clear that the cult of Zeus of Baetocaece already existed. The village had, up to the moment of the king’s grant of it to the temple, been in private possession. This may mean no more than that there

had previously been a (revocable) grant of it to a private person by an earlier king; that is to say that the village belonged in the category of *ch 𐭪 ra basilik 𐭪*, royal land.⁶⁰ No such legal prescription is actually stated in the document, and it is clear from the king's decision that some representation had been made to him about the "power" (*energeia*) of the god. It is, therefore, equally possible that he is approving the transfer to the sanctuary of land which had previously been in full private ownership. Exactly what is meant for the status of the inhabitants is uncertain. In inscribing this document in the 250s A.D., and also a little earlier, in the 220s (*IGLS VII 4031*), they describe themselves as *katochoi* (subjects) of the god.

The city of Aradus is not involved in this initial transaction, though it was later, under Augustus. Are we then dealing with royal land (*ch 𐭪 ra basilik 𐭪*) either in the sense of an individual royal property or in the wider sense, commonly imagined in modern books, that *all* the land outside city territories was "royal," that is, in some sense owned and exploited by the king, and at his disposition? In my view this notion goes far beyond what our evidence shows. As what is said below will illustrate, it is very questionable whether this concept has any reflection in the real-life social and economic relations which our sources attest. There were many non-city areas where no direct control was, or could be, exercised by any king.

Where we do find land in royal possession, and then being assigned for cult purposes, is in the remarkable documents from Commagene in which Antiochus I (c. 69/38 B.C.) proclaims his institution of a cult for various gods, for his deceased father, Mithridates Callinicus, and for himself.⁶¹ Among the other provisions he states that he has dedicated a group of *mousikoi* who are to learn the arts necessary for performing at the cult festivals, and to be succeeded in the same skills by their sons, daughters, and all their descendants. They are described as *hierodouloi* (sacred slaves), and are to maintain this hereditary role forever. It is not clear, however, whether these are or are not the same as the inhabitants of the *k 𐭪 mai* (villages) which, in the Nemrud Dagħ text, he says he had dedicated to the gods, or (in the text from Arsamea in the Nymphaios) of the land *ek basilik 𐭪 s kt 𐭪 se 𐭪 s* (in royal possession) which he has dedicated with its revenues, to be looked after by the priests. But at least we confront here an unambiguous reference to specific royal properties, and also, once again, a category of non-free persons (*hierodouloi*) which does not descend from a remote past but is being created in the first century

Not far away, and at about the same time, Cicero fought his miserable little campaign against the free Cilicians of the Amanus, whose town, Pindenissum, was high up, well fortified, and inhabited by people who had never yielded obedience to the (Seleucid) kings (*fam.* 15, 4, 10). It took him a siege of fifty-six days to capture it. The mountainous or marginal areas of the Syrian region were covered with fortified villages, whose inhabitants, as far as we can see, were integrated in no system of property relations imposed from outside and did not belong in any functional sense to any state. Internally, of course, they had their own systems of social stratification. We see this best in one vivid report which relates to two village communities in Moab in about 160 B.C. A people called the “sons of Jamri” were celebrating the wedding of the daughter of one of the notables (*megistanes*) of Canaan, conducting the bride in a great procession laden with possessions. From the opposite direction the bridegroom with his friends and brothers was on his way to meet the bride, accompanied by musicians playing tambourines, and an armed escort. At that point the scene stops; for Jonathan and Simon Maccabaeus with their followers leap up from ambush, slaughter as many as they can, put the rest to flight, and take all their possessions (1 Macc. 9:37–42).

The two books of Maccabees, especially the first, give us the best—and more or less contemporary—picture which we have of social formations and settlement patterns in the southern part of the Syrian region in the second century; they would deserve further investigation, directed to the hints which they provide as to non-Jewish social structures in this period. The Maccabean wars stretched from the cities of the Philistine coast, like Azotus with its temple of the Philistine god, Dagon (“Bethdagon,” 1 Macc. 10:83–84), to the fortified villages (*ochuromata*) of Idumaea (2 Macc. 10:15) or Transjordan (1 Macc. 5:6–9). In 1 Macc. 5:26–27 a whole string of places across the Jordan, all of which have retained analogous Arabic names until modern times—“Bosora,” “Bosor,” “Alema,” “Chaspho,” “Maked,” “Karnaim”—are described as large, fortified *poleis*. These too will have been fortified villages; it is worth noting that the author of 1 Maccabees has no notion that term *polis* ought to be restricted to self-governing cities formally recognised as such; he uses it for instance of Modein (2:15), the village from which the Maccabees came.⁶² Similarly, Polybius uses the word *polis* of Atabyrion, a settlement on

The narratives of Maccabees also illustrate the very close geographical conjunction between different social or economic groupings which characterised this area, since the operations bring the Jewish forces into repeated contact not only with cities and with fortified villages, but with groups described as “Arabs,” following a nomadic, or at any rate non-sedentary, way of life. Even on the coastal strip near Jaffa, Judas Maccabaeus is attacked by no less than 5,000 Arabs with 500 horsemen, described as *nomades*. When defeated, they offer cattle as a pledge of friendship and retire to their tents (*sk̄ ʿ nai*; 2 Macc. 12:10–12). The social pattern of an intermingling and mutual dependence, balanced by recurrent hostilities, between various gradations of settled, pastoral, and truly nomadic communities using camels, is of course well known, and nowhere better described than by Donner on the early Islamic conquests.⁶³ It is worth noting that Diodorus, concluding his account of the Nabataeans, gives a succinct account of the social relations involved (19, 94, 10): “There are also other tribes of Arabs, of whom some even cultivate the soil, intermingled with the tax-paying peoples, and [who] share the customs of the Syrians, except that they dwell in tents.”

I return below to the question of the movement of Arab peoples into Syria and their settlement there, a subject discussed in an interesting way by Dussaud.⁶⁴ For the moment note Diodorus’ contrast between Arabs living in tents and those in settled populations who can be made to pay taxes. In many parts of the Syrian region, in the mountains and on the fringes of the desert above all, the Seleucid (or Ptolemaic) state either never had or only occasionally had any effective presence as the Achaemenids before them, who, however, maintained a contractual relationship with them.⁶⁵

Most of what I have been saying so far has been designed to suggest how limited, variable, and erratic the Greek presence in the different parts of the Syrian region was in the Hellenistic period, at any rate so far as our present evidence shows. I now wish to look at the other side, and ask what if anything we know of the non-Greek culture of the area, or of essentially non-Greek communities within it. The Phoenician cities of the coast preserved their historical identity and culture, while evolving, by steps which we cannot really trace, into Greek cities.⁶⁶ A similar evolution seems to have taken place in the ancient Philistine cities further south, Azotus, Ascalon, and Gaza.⁶⁷ As with many other places in the Near East, their non-Greek, or not

wholly Greek, identity is expressed most clearly in dedications made on Delos. Perhaps the most striking example is the well-known dedication by a man from Ascalon: "To Zeus Ourios and Astarte Palestine and Aphrodite Ourania, the listening gods, Damon son of Demetrios, of Askalon, having been saved from pirates, [offers his] prayer. It is not permitted to introduce [here] a goat, pig, or cow."⁶⁸ The notion that these, or any other existing communities, could be made into Greek cities purely by the issue of some sort of charter or the granting of a Greek constitution, without either a settlement or building operations, still seems to me to need further examination. It is more in accordance with the evidence to see these coastal cities as places which had been in close contact with the Greek world before Alexander, and where, after the conquest, a continued process of Hellenisation took place gradually against a background of cultural continuity.⁶⁹ But we should not think of the non-Greek elements as being static features of a world in which cultural change came only from the Greek side. For instance, some nine kilometres from Acco/Ptolemais a Greek inscription of probably the second century B.C. shows a man with a Greek name dedicating an altar to Hadad and Atargatis, "the listening gods."⁷⁰ Rather than being an example of the continuity of local non-Greek cults, this inscription is the earliest attestation of these deities on the Phoenician coast.

A much greater problem is presented by those inland cities or communities which are not known to have received any formal Greek colony or settlement. With Jerusalem and Judaea the essential features of cultural and religious contact and conflict are well known: a significant level of Hellenisation, met by a conscious and violent reaction and reassertion of "national" tradition. The Samaritans too retained and reasserted their "Israelite" identity. This fact is perfectly illustrated by two dedications of the middle and late second century from Delos in Greek put up by "The Israelites on Delos who pay their tithes to holy Argarizein [Mount Gerizim]."⁷¹

By contrast, if we think for instance of Damascus, virtually nothing is known of its character as a city or community at the moment of the Macedonian conquest except the bare fact of its existence. Nor has any significant evidence about it through the Hellenistic period survived, beyond some coins of the second and first centuries B.C. with the legend *Damask ē non* (of the people of Damascus) and passing mentions of it as an object of successive dynastic conflicts.⁷² The occasional documents of persons from Damascus abroad in the

Hellenistic world are not very informative, though they do illustrate the adoption of Greek nomenclature. It is not surprising that Semitic names might also be retained, for instance “Martha, Damasc $\bar{\epsilon}$ n $\bar{\epsilon}$ [a Damascene],” on a late second-century inscription from Delos (*ID* nos. 2286–87).

No real insight into the internal life of Damascus can be attained until the middle of the first century, when we come to Nicolaus’ account of his father Antipater, who was presumably born around the beginning of the century and was a skilled orator (in Greek, as is clearly implied), who filled all the offices (*archai*) in the city and represented it before the various dynasts who ruled in the surrounding area (*FGrHist.* 90 F 131). In the chaotic conditions of fluctuating empires and local tyrannies which marked the history of Syria in the middle of the century,⁷³ this will have been an essential function. The education and culture to which Nicolaus laid claim (*FGrHist.* 90 F 132) was wholly Greek, and nothing in the extensive fragments of his works suggests any influence from a different historical or cultural tradition. In this he offers an obvious and striking contrast to Josephus, who was to make so much use of him as a source.⁷⁴

A combination of different cultural traditions is certainly expressed in the monuments and inscriptions of one local dynasty which emerged in northern Syria in the second century, the royal house of Commagene.⁷⁵ But if what we are interested in is a local “mixed” culture, Commagene is not a true exception, for everything that we can observe there is, firstly, a royal invention; and, secondly, though the kings consciously draw on two traditions, they do so in relation to Greek and *Persian* elements, not Syrian or Aramaic ones: Greek gods and Ahuramazda; royal descent from Persia and Macedon; Persian dress to be worn at festivals.⁷⁶ It was natural, in creating a new royal ideology, to look to the two major monarchies of the Achaemenids and the Seleucids. But there is still a contrast, for instance, with the contemporary coinage of the Hasmoneans in Judaea, which incorporates Greek, Hebrew, and Aramaic elements.⁷⁷

So far as I can find, a real continuity is traceable in just one place outside Phoenicia and Judaea, namely Bambyce, also called in Aramaic/Syriac Manbog, and soon to be called in Greek Hierapolis, some miles west of the Euphrates. This is the place from which came the slave in Egypt with his wrist tattooed in “barbarian letters” (text to n. 52 above). It may be worth putting together what we know of this place, somewhat increased since Goossens’ book of 1943. The

location of Bambyce, not far from the Euphrates and northern Mesopotamia, may well be significant. Since we know even less of the culture of northern Mesopotamia in the Hellenistic period than we do of the various areas of Syria itself, we can only speculate about how far the two areas shared a common cultural history. But it is at least clear that a remarkable variety of non-Greek influences steadily gained ascendancy, from the first century B.C. onwards, in the Macedonian colony of Dura-Europos; that Syriac script is first attested, in the very early first century A.D., on the Euphrates;⁷⁸ and that another Macedonian colony, not far across the Euphrates, Edessa, was to be the focus of Syriac culture.⁷⁹ For the wider cultural contacts around the Fertile Crescent, it is suggestive that Lucian's account of the "Syrian Goddess" of Hierapolis/Bambyce records (*dea Syr.* 10) that offerings came there not only from various regions west of the Euphrates but also from Babylonia.

At the time of Alexander's conquest Bambyce was producing coins with Aramaic legends, with the names of "Abdhadad" (meaning "servant of [the god] Hadad"), or "Abyaty," or (still in Aramaic letters) "Alksandr [Alexandros]." One has a longer legend "Abdhadad, priest of Manbog, who(?) resembles Hadaran his lord."⁸⁰ The reverse of this same coin shows a priest, presumably 'Abdhadad himself, standing before an altar wearing a long tunic and tall conical hat. Other coins represent Atargatis of Bambyce, the "Syrian goddess," and one of these has, in Greek, the letters ΣΕ, presumably "Seleukos." According to Lucian the temple which stood there in his time had been rebuilt by Stratonice, the wife of Seleucus I (*dea Syr.* 17).

In the next century, inscriptions of 128/7 B.C. onwards record men from this place, described as a *polis* with the name Hierapolis (e.g., *ID* no. 2226), acting as priests of Hadad and Atargatis at Delos, where a whole range of Syrian cults are represented explicitly in a way which is hardly attested in the Hellenistic period in Syria itself.⁸¹ Probably a little earlier, an inscription from Larisa in Thessaly reveals a man called Antipater, a "Hierapolitan of Seleucis," described as "a Chaldaean astronomer," evidently resident over a long period in Thessaly. The description of him as a "Chaldaean," later repeated by Vitruvius,⁸² would naturally suggest either that Hierapolitans were felt to be in some way associated with Babylonia, or that his astronomical learning was acquired there, or both.

In the first century B.C. the wealth of the temple was evidently well known, and in 54 B.C. Crassus removed treasures from it (Plutarch,

Crassus 17). Under the Roman Empire one of the few inscriptions from the site (IGLS I nos. 232–33) shows that the place had a *boulē* and *dēmos* (council and people) in the normal way (no. 233). But the most striking of all the evidence is the relief, in two halves found fifty years apart and joining perfectly, showing a priest in a long tunic and conical hat surmounted by a crescent.⁸³ A Greek inscription records that this is a statue of Alexander, “the incomparable high priest,” put up by his friend Achacus, who offered libations and prayed to the gods to preserve his *patris* (homeland) in *eunomia* (good order). The statue dates to the second century A.D., the time when Lucian describes the cult of the goddess and lists the vestments of the various priests—the others in white robes and pointed hats, the high priest in purple robes and a tiara (which is visible in the relief, round the bottom of his tall hat). In this case there is enough evidence to show a non-Greek cult which was already in existence before the Hellenistic period, and continued in a closely similar form into the Roman Empire. Very early on in the Hellenistic period it seems to have gained royal patronage; in the next century its cult is on show in Delos; under the Roman Empire it is a curiosity and tourist attraction, and a suitable subject for Lucian’s parody of Herodotus.⁸⁴

Outside Phoenicia and Judaea there is nowhere else in Seleucid Syria of which we can say the same. Those few non-Greek, or mixed Greek and non-Greek, cultures which our evidence at present does allow us to observe either came from outside the area of Seleucid control or are creations of the very late Hellenistic and the Roman period, or both. By contrast with the dearth of Aramaic inscriptions of the Achaemenid, Hellenistic, and Roman periods from Syria, inscriptions in the various pre-Islamic Semitic scripts are known in large numbers and cover a considerable range in space and time.⁸⁵ Firstly, Thamudic inscriptions begin in north-west Arabia around 400 B.C. and continue until the third or fourth century A.D. The sub-category of them known as “Safaitic,” named from the volcanic region called the Safa, south-east of Damascus, was in use from the second century A.D. to just before the rise of Islam; scattered examples have been found as far away as Dura-Europos and Hama. Secondly, the Nabataeans, whom our classical sources regard as Arabs, could already write in “Syrian letters” when Antigonos made his unsuccessful campaign against them in 312 B.C. (Diod. Sic. 19, 96, 1). Nabataean inscriptions, of which some 4,000 are known, begin in the first half of the second century B.C., and continue until the fourth century A.D.⁸⁶ The northward spread of the inscriptions mirrors the

spread of Nabataean control, which for a period in the first century B.C., and possibly again in the first century A.D., included Damascus. Thirdly, as regards the parallel case of the Palmyrenes, there is evidence of continuous occupation from the third millennium onwards on the tell where the temple of Bēl stood, and a mud-brick temple may have been constructed there in the early Hellenistic period. But a tomb of the mid-second century B.C. seems to be the earliest datable Hellenistic structure on the site.⁸⁷ In the middle of the first century B.C. we find both the earliest Palmyrene inscriptions and the earliest evidence of monumental building.⁸⁸ Both of these cases, Nabataea and Palmyra, can be argued to be examples of the sedentarisation of Arab, or at least nomadic, peoples, and certainly involved the construction of new urban centres exhibiting highly distinctive local varieties of Greek architecture. Fourthly, a settled population of mixed Greek and non-Greek culture, with buildings and inscriptions, also emerges in the same period in the Hauran (Djebel Druze), south-east of Damascus. The earliest known monument there is the temple of Balshamen at Si'a, dated by a bilingual Greek/Nabataean inscription to 33/2 B.C.⁸⁹

It would be absurd to pretend that we can in any way *explain* these closely parallel developments. All I wish to underline is that we can see the visible manifestations of a number of mixed cultures emerging first outside the areas of Seleucid, or Roman, control, and then spreading inwards. Or so it seems; at Baalbek/Heliopolis, a place which we would naturally think of as distinctively Syrian, there is no certain archaeological evidence from before the early Roman imperial period. Von Gerkan did however argue that under the major temple of the mid-first century A.D. there were the foundations of a late Hellenistic temple of different design.⁹⁰ Emesa, further north up the Orontes valley, was also of course, at least by the second and third centuries, the site of the conspicuously non-Greek cult of Elagabal, whose cult object was an aniconic black stone. The place is not known to have existed until the first century B.C., when there appeared the local dynasty of Sampsigeramus and his son Iamblichus,⁹¹ the “tribal leaders” (*phylarchoi*) of the people (*ethnos*) of the Emiseni, as Strabo calls them (16, 2, 10 [753]), saying that they ruled nearby Arethusa (a settlement of Seleucus I, Appian, *Syr.* 57). These dynasts too were characterised by contemporaries as “Arabs” (Cicero, *fam.* 15, 1, 2: “Iamblichus, phylarchus Arabum [tribal leader of the Arabs]”), and the first part of Sampsigeramus’ name is based on the Semitic word *shemesh*, the sun. On Seyrig’s view, the sun cult in Syria is typically of Arab origin.⁹² But, just to confuse our conception of the background,

the main cult of Emesa in this period does not itself seem to have been a sun cult. What seems to be the earliest documentary attestation of the name “Elagabal” as a divine name offers a new etymology for the word, namely “god mountain.” This is an inscription in Palmyrene lettering of the first century A.D., found some 80 kilometres south-east of Emesa and 100 kilometres south-west of Palmyra, and naming, along with the Arab deity $\text{Ar } \text{𐤀} \text{ u}$, another deity called “ Ilh' gbl ,” that is (perhaps), “ Elaha Gabal ”—“god mountain”—represented as an eagle with outstretched wings standing on a rock.⁹³ Then, to add a further confusing element, when we come to Herodian’s famous description of the cult of Elagabal (5, 3, 2–6), he characterises it as “Phoenician”; just as Heliodorus, the author of the novel *Aethiopica*, calls himself “a Phoenician from Emesa” (10, 41, 3).

However we ought to characterise the cultural background out of which the Emesa of Roman imperial times emerged, Seyrig elsewhere saw its brief prosperity as a city as having been closely linked to the caravan trade of Palmyra.⁹⁴ That raises questions which cannot be dealt with here. All I wish to emphasise is that there is nothing to show that Emesa or its cult even existed in the Hellenistic period proper. One hypothesis is to see its emergence as a product of the movement of “Arabs” inwards from the desert fringes, followed by their settlement and creation of a new cult, or at any rate one which was new to that site.

If we move somewhat further north, to Seleucus’ foundation at Apamea, here in the Roman Empire there was a cult of a non-Greek deity, whom Dio (79, 8, 5) describes as “Jupiter called Belos, who is worshipped in Apamea in Syria” and who gave oracular responses. The god $\text{B } \text{𐤁} \text{ l}$, worshipped also in Palmyra,⁹⁵ is first attested in Babylonia. How and when the cult had come to be set up in a Greek city, or to be associated with a cult already there, we do not know.⁹⁶ But in the entire range of our evidence there is probably no more concentrated example of cultural fusion than the brief inscription from Apamea published by Rey-Coquais,⁹⁷ a Greek dedication by a Roman citizen: “On the order of the greatest holy god $\text{B } \text{𐤁} \text{ l}$, Aurelius Belius Philippus, priest and *diadochos* [successor] of the Epicureans in Apamea.”

The enigma of Hellenistic Syria—of the wider Syrian region in the Hellenistic period—remains. None the less, I am tempted to speculate that the positive impact of Hellenistic rule was relatively slight. If we think of it in terms of the foundation of wholly new cities, these were

not numerous, except in northern Syria, and only a few of them are known to have closely resembled what we think of as a fully fledged Greek city. If we think of an economic or social impact, there were many areas where the Seleucid Empire certainly never exercised any direct or effective control.⁹⁸ What the Seleucid state did was to raise taxes where it could, and to enrol troops either (perhaps) by direct levies among Macedonian *klērouchoi* (colonists) or, more probably, via the Greek cities, like Cyrrhus, via local dynasts like the Hasmoneans, who from time to time supplied contingents, or were supposed to (1 Macc. 10:36; 11:44), or from Arab dynasts like Zabdibelus, who led 10,000 Arabs at the battle of Raphia in 217 (Polybius 5, 79, 8). The Seleucid state, like most ancient states, was primarily a system for extracting taxes and forming armies. Much of Syria was disputed territory between the Seleucid and Ptolemaic kingdoms throughout the third century B.C. Antiochus IV's final invasion of Egypt in 168 had as an immediate consequence the desecration of the Temple in Jerusalem (or so it seemed to one contemporary, Daniel 11:30–31), and the imposition of a Seleucid garrison. A mere six years later, with the escape of Demetrius I from Rome, there began a series of civil wars over the succession to the Seleucid throne which did not end until the occupation of Syria first by Tigranes of Armenia and then by the Romans.

The nature of the Seleucid state, as seen by its subjects, is suggested by the importance of the right of *asylia* (asylum) as granted to cities,⁹⁹ just as it is by Ptolemaeus' concern, immediately after the conquest of southern Syria, to have his villages protected from billeting by the Seleucid army (see text following n. 57 above). Some decades later, after the death of Antiochus VII Sidetes while on campaign against the Parthians in 129, his *stratēgos* (general) Athenaeus, when in flight, was refused entry or supplies by the villages which had been "wronged in connection with the *epistathmeiai* [quartering of soldiers]" (Diod Sic. 34/5, 17, 2).

It is worth suggesting the hypothesis that the remarkable absence of tangible evidence from Syria in the Hellenistic period may not be an accident which further discovery would correct, but the reflection of a real absence of development and building activity in an area dominated by war and political instability. Given this absence of evidence, we cannot expect to know much about the culture of Syria in this period, or whether there was, except along the coast, any significant evolution towards the mixed culture which came to be so

vividly expressed in the Roman period. The hints which we gain of such a culture are hardly worth mentioning: for instance the fact that Meleager of Gadara, whose epigrams are entirely Greek in spirit, at least knew what words were used as expressions of greeting both in Aramaic and in Phoenician.¹⁰⁰ But there is nothing in the quite extensive corpus of his poetry to show that he had deeply absorbed any non-Greek culture in his native city, although no formal Greek or Macedonian settlement is attested there.¹⁰¹ On the contrary, he self-consciously represented his native city as “Attic Gadara situated among the *Assyrioi*,” and says of himself “If [I am] a Syrian, what is the wonder? My friend, we inhabit a single homeland, the world.”¹⁰² For evidence of non-Greek culture on the part of the inhabitants of inland Syrian cities in the Hellenistic period, one can add a passing allusion to the fact that Antonius could find in Antioch in the 30s B.C. a leading citizen who knew Aramaic, or perhaps Parthian (Plutarch *Ant.* 41).

One of the major problems in the understanding of Hellenistic Syria is thus the relative scarcity of direct and contemporary evidence for any non-Greek culture, or cultures, in the region, either in the Achaemenid or the Hellenistic period itself. That might not matter, if we were confident that the evidence available for the Roman imperial period could be used to show cultural continuity, rather than the importation of new elements, from the desert, from Babylonia, or from Mesopotamia. The question of chronology may be crucial, and certainly cannot be ignored. To give one central example, in his famous book of 1937, *Der Gott der Makkaber*, Bickerman argues that we should envisage the pagan cult imposed in 167 B.C. on the Temple in Jerusalem not as Greek but as Syrian. In particular he explains the emphasis which Jewish sources place specifically on the desecration of the altar by the “abomination of desolation,” by the parallel of Arab worship of the altar as a cult object in itself. To reinforce this, he uses the example of an inscription from Jebel Sheikh Barakat near Beroea (Aleppo) with a dedication to Zeus Madbachos, “Zeus of the Altar.” But there is an acute problem of chronology here: the temple from which this inscription comes did not exist in the second century B.C. It was constructed by persons with Greek names between the 50s and the 120s A.D.; the earliest inscriptions recording its dedication to Zeus Madbachos and Selamanes, “the ancestral gods,” probably date to the 50s A.D.¹⁰³

The ancestors of these people may indeed have worshipped these

same deities through the Hellenistic period. The god Shulman/Selamanes is in fact attested in Syria long before that. But nobody, so far as we know, put up a temple for these gods on this site, or composed a dedicatory inscription for them until the first century A.D. The problem therefore remains. Whatever the society, economy, and culture of the Syrian region was like in the Hellenistic period, the “Hellenistic” Syria, with a distinctive mixed culture, which our evidence allows us to encounter is that which evolved under the Roman Empire.¹⁰⁴

That is, however, in the first instance, a fact about our evidence. It is not presented here as a definite conclusion about the “real” world of the Syrian region in the Hellenistic period, but as a strategic device whose purpose is precisely to bring into sharper relief significant new items of evidence as they appear. Firstly, to insist on the sparseness of evidence for the culture and social structure of the region in the Achaemenid period, with the possible exception of Judaea, and to a lesser extent Phoenicia, is to prevent the unconscious projection of general notions about “oriental” or “Near Eastern” civilisation on to this area. Secondly, to emphasise the limits of the empirical data which we can actually use to give substance to the notion of “Hellenisation” or “Hellenism” in this particular time and place is both to call these concepts into question and to insist on testing them, so far as possible, area by area and period by period. Thirdly, the notion of a “fusion” of cultures is doubly open to question if we have very little direct evidence for the nature of either of the cultures concerned, let alone for the manner in which they may have interacted, or occupied separate spheres. “Hellenisation” might, as is often supposed, have extended very little outside the towns or the upper classes. Yet as regards towns, or urban centres, there is enough evidence to suggest that it was possible to absorb Greek culture without losing local traditions; and that Hierapolitans, Phoenicians, and Samaritans when abroad positively emphasised their non-Greek identity.

Nor, by contrast, is it certain that country areas remote from the centres of Greek or Macedonian settlement remained immune to Greek presence or influence. This paper concludes with what seems to be (so far) the only formal bilingual inscription, in Greek and Aramaic, dating to the Hellenistic period, and discovered west of the Euphrates. This is a dedication from Tel Dan, first published in a brief archaeological report and discussed by Horsley in one of his valuable surveys of new material relevant to early Christianity.¹⁰⁵ The site

seems to have been a high place of the Israelite period (tenth–ninth centuries B.C.), on which further construction, possibly including an altar, subsequently took place in the Hellenistic period. The inscription, carved on a limestone slab, seems to date to the late third or early second century B.C. (*BE* 1977, no. 542). The Greek text, quite finely carved, presents no problems: “To the god who is in Dan Zoilos (offers) his vow” (*the* $\bar{\theta}$ i / t $\bar{\theta}$ i en *Danois* / Z $\bar{\theta}$ $ilos$ $euch$ $\bar{e}$ n). Immediately underneath it comes an Aramaic text, more amateurishly carved, of which just enough survives to show that the author, and hence the date, is the same. It reads either [BD]N NDR ZYLS L'[LH'] —“In [Da]n, vows of ZYLS (Zoilos) to the god,” or (more probably) [H]N NDR ZYLS L'[LH' DN]—“[This] (is the) vow (of) Zoilos to the [god in Dan].”

On either interpretation, this modest document is of immense significance for the cultural and religious history of the Syrian region. Firstly, it is one of the earliest formal Greek inscriptions from the whole area. Secondly, it is both the only formal Aramaic (as opposed to Phoenician) inscription and the only formal Greek-Semitic bilingual inscription (as opposed to ostraca) from the Syrian region in the Hellenistic age. Thirdly, the archaeological evidence clearly suggests the continuation, or at least the resumption, of worship at an ancient cult site. Fourthly, the site itself occupies an inland location, near the headwaters of the Jordan, separated from the coast by some forty kilometres of hill country, and some fifty kilometres away from the nearest Greek, or semi-Greek, cities, Damascus and Gadara. There is no way of knowing whether Zoilos was an immigrant Greek who had either acquired some knowledge of Aramaic, or at least knew the necessity of having his vow recorded also in Aramaic; or whether he was a person of Syrian origin who had learned Greek, and adopted the Greek custom of the dedicatory inscription, and paired it with an inscription of a less well established type, in his native Aramaic. In either case a rustic cult centre saw worship directed to its nameless deity and recorded in a fine Greek inscription. Here at last we have a precise example, from the earlier Hellenistic period, of the meeting of two identifiable cultures.

Notes

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The work on which this survey of the problem of Hellenistic Syria

is based was carried out at the Institute for Advanced Study at Princeton, during an enjoyable and profitable visit from January to April 1984. Successive versions were presented at seminars held at the institute and, in autumn 1984, at the Institute of Classical Studies, London. The paper has benefitted from assistance, advice, and criticism from the editors and from a number of friends and colleagues, notably G. W. Bowersock, Pierre Briant, P. M. Fraser, the late J. F. Gilliam, Chr. Habicht, and Javier Teixidor. It will readily be accepted that the remaining imperfections are due to the author. There are many points at which systematic up-dating, for instance as regards epigraphic finds, could be carried out. But that is a task for a new study, and the chapter has been left as it was in 1987.

1. F. Millar, "The Background to the Maccabean Revolution: Reflections on Martin Hengel's 'Judaism and Hellenism,'" *JJS* 29 (1978): 1–21 (= chapter 4 in the present volume).

2. O. Eissfeldt, *The Old Testament: An Introduction* (trans.) (1965), 529–30.

3. Schürer, Vermes, and Millar, *History* III, 198–99, 245–46. See also F. Millar, "Hellenistic History in a Near Eastern Perspective: The Book of Daniel," in P. Cartledge, P. Garnsey, and E. Gruen, eds., *Hellenistic Constructs: Essays in Culture, History, and Historiography* (1997), 89–104 (= chapter 3 in the present volume).

4. M. Hengel, *Judaism and Hellenism: Studies in Their Encounter in Palestine during the Early Hellenistic Period* (trans.) I–II (1974).

5. F. Millar, "The Phoenician Cities: A Case-Study of Hellenisation," *Proc. Camb. Phil. Soc.* 209 (1983): 55–71 (= chapter 2 in the present volume).

6. The archaeological evidence is largely confined to individual domestic or decorative objects and weaponry: see P. R. S. Moorey, "Iranian Troops at Deve Hüyük in the Fifth Century B.C.," *Levant* 7 (1975): 108–17; P. R. S. Moorey, *Cemeteries of the First Millenium B.C. at Deve Hüyük* (1980); only the evidence from the Judaeian area has been systematically assembled by E. Stern, *The Material Culture of the Land of the Bible in the Persian Period* (1982).

7. J. T. Milik, "Les papyrus aramaéens d'Hermopolis et les cultes syro-phéniciens en Egypte perse," *Biblica* 48 (1967): 546ff.

8. H. Donner and W. Röllig, *Kanaan ä ische und aram ä ische Inschriften*² I–III (1964–68), nos. 201–27; A. Abou Assaf, P. Bordreuil, and A. R. Millard, *La statue de Tell Fekherye et son inscription bilingue*

assyro-araméenne, *Recherches sur les civilisations* 7 (10): Etudes assyriologiques (1982).

9. F. M. Fales, "Remarks on the Neirab Texts," *OA* 12 (1973): 131–42.

10. S. Dalley, "The Cuneiform Tablet from Tell Tawailan," *Levant* 16 (1984): 19–22.

11. Though note that of Tobiah from 'Araq el-Emir; see B. Mazar, "The Tobiads," *IEJ* 7 (1957): 137–45, 229–38.

12. H. Donner and W. Röllig (n. 8), nos. 228–30; F. V. Winnett and W. L. Reed, *Ancient Records from North Arabia* (1970); see G. Bawden et al., "The Archaeological Resources of Ancient Taym $\overline{\text{ā}}$: Preliminary Archaeological Investigations at Taym $\overline{\text{ā}}$," *Atlat* 4 (1980): 69–106; new texts in A. Livingstone et al., "Taima: Recent Soundings and New Inscribed Material," *Atlat* 7 (1983): 102ff.

13. J. Naveh, "The Aramaic Ostrakon," in Y. Aharoni, ed., *Beer-Sheba I: Excavations at Tel Beer-Sheba 1969–71 Seasons*, Publications of the Institute of Archaeology 2 (1973), 79–82; J. Naveh, "The Aramaic Ostraca from Tell Arad," in Y. Aharoni, *Arad Inscriptions*, Judaeen Desert Studies (1981), 153–76.

14. K. Yassine, "Tell el-Mazar, Field I. Preliminary Report of Area G. H. L. and M: The Summit," *ADAJ* 27 (1983): 495ff.

15. See, e.g., A. F. Rainey, "The Satrapy beyond the River," *AJBA* (1969): 51–78.

16. H. Kreissig, *Wirtschaft und Gesellschaft im Seleukidenreich: Die Eigentums- und die Abhängigkeitsverhältnisse*, Schriften zur Geschichte und Kultur der Antike 16 (1978).

17. P. Briant, "Colonisation hellénistique et populations indigènes: la phase d'installation," in *Rois, tributs et paysans: études sur les formations tributaires du Moyen-Orient ancien*, Centre de Recherches d'Histoire Anciennes 43 (1982), 248 (originally published in *Klio* 60 [1978]: 57–92).

18. Briant (n. 17) 227–62.

19. M. J. W. Leith, *Wadi Daliyeh I: The Wadi Daliyeh Seal Impressions*, DJD XXIV (1997), and D. M. Gropp, *Wadi Daliyeh II: The Samaria Papyri from Wadi Daliyeh*, DJD XXVIII (2001).

20. H. Seyrig, "Antiquités Syriennes, 92: Séleucus I et la fondation de la monarchie syrienne," *Syria* 47 (1970): 290–311 = slightly earlier version in English: "Seleucus I and the Foundation of

Hellenistic Syria,” in W. A. Ward, ed., *The Role of the Phoenicians in the Interaction of Mediterranean Civilization*, Papers Presented to the Archaeological Symposium at the American University of Beirut, March 1967 (1968), 53–63.

21. J. Balty and J. C. Balty, “Apamée de Syrie, archéologie et histoire I. Des origines à la Tétrarchie,” *ANRW* II.8 (1977), 103–34.

22. *IG* XIV 2558; photo in J. C. Balty, “Nouvelles données topographiques et chronologiques à Apamée de Syrie,” *AAAS* 21 (1971): 131–35; see *BE* 1960, 95.

23. See *BE* 1958, no. 295.

24. Schürer, Vermes, and Millar, *History* II, 160.

25. J. W. Crowfoot, K. M. Kenyon, and E. L. Sukenik, *Samaria-Sebaste I: The Buildings* (1942), 24–31.

26. Schürer, Vermes, and Millar, *History* II, 61; see further text to n. 70 below.

27. J. W. Crowfoot, G. M. Crowfoot, and K. M. Kenyon, *Samaria-Sebaste I: The Objects* (London, 1957), 37, no. 13; illustrated in M. Avi-Yonah, *The Holy Land* (1972), 37.

28. For toponyms in Syria, see the illuminating survey by E. Frézouls, “La toponymie de l’Orient syrien et l’apport des éléments macédoniens,” in *La toponymie antique: actes de colloque de Strassbourg 1975* (1978), 219–48.

29. R. H. Smith, “Preliminary Report of the 1981 Season of the Sydney/Wooster Joint Expedition to Pella,” *ADAJ* 26 (1982): 323ff.

30. Polyb. 5, 50, 7–8; 57, 4; see E. Frézouls, “Recherches historiques et archéologiques sur la ville de Cyrrhus,” *AAAS* 4–5 (1954–55): 89–128; E. Frézouls, “Cyrrhus et la Cyrrhestique jusqu’à la fin du Haut-Empire,” *ANRW* II.8 (1977), 164–97.

31. A. Perkins, *The Art of Dura-Europos* (1973), 10–16; see F. Millar, “Dura-Europos under Parthian Rule,” in J. Wiesehöfer, ed., *Das Partherreich und seine Zeugnisse*, *Historia-Einzelschrift* 122 (1998), 473–92 (= chapter 16 in the present volume).

32. J. Sauvaget, *Alep: essai sur le développement d’une grande ville syrienne des origines au milieu du XIXe siècle* (1941), 40.

33. So E. Fugman, *Hama. Fouilles et recherches de la Fondation Carlsberg 1931–1938 II: architecture des périodes pré-hellénistique* (1958), 269.

34. Fugman (n. 33), 264.

35. See esp. E. D. Francis and M. Vickers, "Greek Geometric Pottery at Hama and Its Implications for Near Eastern Chronology," *Levant* 17 (1985): 131ff.

36. A. P. Christensen and C. F. Johansen, *Hama. Fouilles et recherches 1931–1938* III.2: *les poteries hellénistiques et les terres sigillées orientales* (1971), 1.

37. J.-P. Rey-Coquais, "Inscription grecque découverte à Ras Ibn Hani: stèle de mercénaires lagides sur la côte syrienne," *Syria* 55 (1978): 313–25.

38. P. Leriche, "La fouille de la ville hellénistique d'Ibn Hani: bilan provisoire 1981," in M. Yon, ed., *Archéologie au Levant: recueil à la mémoire de Roger Saidah* (1982), 271ff.

39. *FGrHist.* 160; see translation in M. M. Austin, *The Hellenistic World from Alexander to the Roman Conquest: A Selection of Ancient Sources in Translation* (1981), no. 220.

40. See R. A. Stucky, *Ras Shamra—Leukos Limen: Die nach-ugaritische Besiedlung von Ras Shamra* (1983), 173–74.

41. C. B. Welles, *Royal Correspondence in the Hellenistic Age* (New Haven, 1934, repr. 1966), no. 45 = *IGLS* 111.1, 1184.

42. *OGIS* 257; Welles (n. 41), nos. 71–72.

43. C. H. Kraeling, "A New Greek Inscription from Antioch on the Orontes," *AJA* 68 (1964): 178ff. (and pl. 60); *BE* 1965, 436.

44. Welles (n. 41), no. 44.

45. So E. Frézouls, "Recherches sur les théâtres de l'Orient syrien," *Syria* 36 (1959): 202–27; but see M. A. R. Colledge, "Greek and Non-Greek Interaction in the Art and Architecture of the Hellenistic East," in A. Kuhrt and S. M. Sherwin-White, eds., *Hellenism in the East* (1987), 151.

46. E. Seirafi and A. Kirichian, "Recherches archéologiques à Ayin Dara au N-O d'Alep," *AAAS* 15.2 (1965): 3–20.

47. S. Herbert, "Tel Anafa: The 1981 Season," *Muse* 15 (1981): 23ff.

48. *OGIS* 593; G. Horowitz, "Town Planning in Hellenistic Marisa: Reappraisal of the Excavations after Eighty Years," *PEQ* 112 (1980): 93–111.

49. L. T. Geraty, "The Khirbet el-K  m Bilingual Ostrakon," *BASOR* 220 (1975): 55–61.

50. F. M. Cross, "An Aramaic Ostrakon of the Third Century B.C. from Jerusalem," *Eretz-Israel* 15 (1981): 67ff.

51. V. Tcherikover, "Palestine under the Ptolemies (a Contribution to the Study of the Zenon Papyri)," *Mizraim* 4–5 (1937): 9–90.

52. See G. Vaggi, "Siria e Siri nei documenti dell'Egitto greco-romano," *Aegyptus* 17 (1937): 29–51, on 34–35.

53. M.-T. Lenger, *Corpus des ordonnances des Ptolémées*² (Brussels, 1980), no. 22; Austin (n. 39), no. 275.

54. A. E. Samuel, *From Athens to Alexandria: Hellenism and Social Goals in Ptolemaic Egypt* (Louvain, 1983).

55. Welles (n. 41), nos. 10–13, 18–20, 62; cf. P. Briant, "Remarques sur 'laoi' et esclaves ruraux en Asie Mineure hellénistique," in *Rois, tributs et paysans* (n. 17), 95–135 (originally published in *Actes du colloque 1971 sur l'esclavage* [1973]: 93–133).

56. K. W. Welwei, "Abh  ngige Landbevölkerung auf 'Tempelterritorien' im hellenistischen Kleinasien und Syrien," *Ancient Society* 10 (1979): 97–118; P. Debord, *Aspects sociaux et économiques de la vie religieuse dans l'Anatolie gréco-romaine* (Leiden, 1982), 76ff.

57. Cf. J. M. Bertrand, "Sur l'inscription d'Hefzibah," *ZPE* 46 (1982): 167–74.

58. *IGLS* VII, 4028; Austin (n. 39), no. 178.

59. H. Seyrig, "Antiquités syriennes, 48: Arados et Baetocaece," *Syria* 28 (1951): 191–206; K. J. Rigsby, "Seleucid Notes," *TAPhA* 110 (1980): 233–54; B. Baroni, "I terreni e i privilegi del tempio di Zeus a Baitokaike (*IGLS* VII 4028)," in B. Virgilio, ed., *Studi ellenistici I* (1984), 135–67.

60. So Baroni (n. 59).

61. H. Waldmann, *Die kommagenischen Kultreformen unter König Mithridates I Kallinikos und seinem Sohne Antiochos I* (1973); J. Wagner and G. Petzl, "Eine neue Temenos-Stele des Königs Antiochos I von Kommagene," *ZPE* 20 (1976): 201–23.

62. But see R. J. van der Spek, "The Babylonian City," in Kuhrt and Sherwin-White (n. 45), 58.

63. F. M. Donner, *The Early Islamic Conquest* (1981).

64. R. Dussaud, *La pénétration des Arabes en Syrie avant l'Islam* (Paris, 1955); see also P. Briant, *Etat et pasteurs au Moyen-Orient ancien* (1982), chap. 3 (an important study); and I. Shahid, *Rome and the Arabs* (1984).

65. Briant (n. 64), 170ff.

66. Millar (n. 5).

67. K. Rappaport, "Gaza and Ascalon in the Persian and Hellenistic Periods in Relation to Their Coins," *IEJ* 20 (1970): 75ff.; Schürer, Vermes, and Millar, *History* II, 98–110.

68. *ID* no. 2305; P. Bruneau, *Recherches sur les cultes de Délos à l'époque hellénistique et à l'époque impériale* (1970), 346–47.

69. See Colledge (n. 45), 137.

70. M. Avi-Yonah, "Syrian Gods at Ptolemais-Accho," *IEJ* 9 (1959): 1–12.

71. P. Bruneau, "Les Israélites de Délos' et la juiverie délienne," *BCH* 106 (1982): 465–504.

72. Schürer, Vermes, and Millar, *History* II, 127–30.

73. See esp. Rey-Coquais (n. 37).

74. See esp. T. Rajak, *Josephus: The Historian and His Society* (1983).

75. For the dynasty, see R. D. Sullivan, "The Dynasty of Emesa," *ANRW* II.8 (1977), 198–219; J. Wagner, "Dynastie und Herrscherkult in Kommagene: Forschungsgeschichte und neuere Funde," *Istanbuler Mitteilungen* 33 (1983): 177ff.

76. Waldmann (n. 61).

77. Schürer, Vermes, and Millar, *History* I, 602ff.

78. J. Pirenne, "Aux origines de la graphie syriaque," *Syria* 40 (1963): 101–37; H. J. W. Drijvers, *Old Syriac (Edesseean) Inscriptions* (1972).

79. J. B. Segal, *Edessa: The Blessed City* (1970); H. J. W. Drijvers, "Hatra, Palmyra, und Edessa: Die Städte der syrisch-mesopotamischen Wüste in politischer, kulturgeschichtlicher und religionsgeschichtlicher Bedeutung," *ANRW* II.8 (1977), 799–906.

80. In general, see H. Seyrig, "Le monnayage de Hiéropolis de Syrie à l'époque d'Alexandre," *RN* 13 (1971): 1–21, who recalls the image in Ecclesiasticus 50, of the high priest Simon as he emerged before the people from within the Temple; but, as Seyrig recognises, the reading and interpretation are not certain.

81. Bruneau (n. 68), 466ff.

82. G. W. Bowersock, "Antipater Chaldaeus," *CQ* 33 (1983): 491.

83. R. A. Stucky, "Prêtres Syriens II: Hiéropolis," *Syria* 53 (1976): 127–40.

84. See now, for all these questions, J. L. Lightfoot, *Lucan, On the Syrian Goddess* (2003).

85. H. P. Roschinski, "Sprachen, Schriften und Inschriften in Nordwestarabien," *BJ* 180 (1980): 151ff.; J. Teixidor, "L'hellénisme et les 'Barbares': l'exemple syrien," in *Le temps de la réflexion* (1981), 257–74.
86. J. Starcky, "Pétra et la Nabatène," *SDB* 7 (1966), 886–1017; G. W. Bowersock, *Roman Arabia* (1983).
87. H. Seyrig, "Antiquités syriennes, 89: les dieux armés et les Arabes en Syrie," *Syria* 47 (1970): 77–100; M. A. R. Colledge, *The Art of Palmyra* (1976); R. Fellmann, *Le sanctuaire de Balshamin à Palmyre V: Die Grabanlage* (1970); E. Will, "Le développement urbain de Palmyre: témoignages épigraphiques anciens et nouveaux," *Syria* 60 (1983): 69–81.
88. Drijvers (n. 78).
89. J.-M. Dentzer and J. Dentzer, "Les fouilles de Si' et la phase hellénistique en Syrie du sud," *CRAI* (1981): 78–102.
90. A. von Gerkan, "Die Entwicklung des grossen Tempels von Baalbek," *Corolla Ludwig Curtius zum 60. Geburtstag dargebracht* (1937) 55ff. = E. Boehringer, ed., *Von antiker Architektur und Topographie: Gesammelte Aufsätze* (Stuttgart, 1959), 267–71.
91. Sullivan (n. 75).
92. H. Seyrig, "Antiquités syriennes, 95: le culte du Soleil en Syrie à l'époque romaine," *Syria* 48 (1971): 337–66.
93. J. Starcky, "Stèle d'Elahagabal," *Mélanges Université St.-Joseph* 49 (1975–76): 501ff.
94. H. Seyrig, "Antiquités syriennes, 76: caractères de l'histoire d'Emése," *Syria* 36 (1959): 184–92.
95. J. Teixidor, *The Pagan God: Popular Religion in the Ancient Near East* (1977), 135–40.
96. Balty and Balty (n. 21), 129, n. 184C; J. Balty, "L'oracle d'Apamée," *AC* 50 (1981): 5–14.
97. J.-P. Rey-Coquais, "Inscriptions grecques d'Apamée," *AAAS* 23 (1973): 67.
98. But see the preface by the editors to Kuhrt and Sherwin-White (n. 45), ix–xii; S. M. Sherwin-White, "Seleucid Babylonia: A Case Study for the Installation and Development of Greek Rule," in Kuhrt and Sherwin-White (n. 45), 1–31; J.-F. Salles, "The Arab-Persian Gulf under the Seleucids," in Kuhrt and Sherwin-White (n. 45), 75–109.
99. E. Bickermann, *Institutions des Séleucides* (1938), 155.

100. *Anth. Pal.* 7.419; A. S. F. Gow and D. L. Page, *The Greek Anthology: Hellenistic Epigrams* (1965), 217, no. iv.

101. Schürer, Vermes, and Millar, *History* II, 132–36.

102. *Anth. Pal.* 7.417; Gow and Page (n. 100), 216, no. ii.

103. *IGLS* II, nos. 465–75; see O. Callot and J. Marcillet-Jaubert, “Hauts-lieux de la Syrie du Nord,” *Temples et Sanctuaires* (1984), 185ff.

104. See esp. Teixidor (n. 95), for the popular religion attested in the inscriptions of this period.

105. A. Biran, “Chronique archéologique: Tell Dan,” *RB* 84 (1977): 256–63; G. H. R. Horsley, *New Documents Illustrating Early Christianity I: A Review of the Greek Inscriptions and Papyri Published in 1976* (1981), no. 67.

CHAPTER TWO

The Phoenician Cities: A Case-Study of Hellenisation



When Alexander was civilising Asia, Homer was commonly read, and the children of the Persians, of the Susianians and of the Gedrosians learned to chant the tragedies of Sophocles and Euripides. And although Socrates, when tried on a charge of introducing foreign deities, lost his cause to the informers who infested Athens, yet through Alexander Bactria and the Caucasus learned to revere the gods of the Greeks. Plato wrote a work on the one ideal constitution, but because of its forbidding character he could not persuade anyone to adopt it; but Alexander established more than seventy cities among savage tribes and sowed all Asia with Grecian magistracies, and thus overcame its uncivilised and brutish manner of living.

These familiar words of Plutarch (*Mor.* 328 D–E, Loeb trans.) begin to seem not quite as foolish as they did, in the light of modern discoveries in Aï Khanum and Kandahar. They may thus serve to raise some larger questions. Firstly, it is curious how Plutarch concentrates on remote central Asian areas which were no longer Hellenised in any obvious sense in his own day. Secondly, he emphasises, as we would expect, the creation of new cities with Greek constitutions. Here we might well turn to a neglected passage of his older contemporary, Josephus, concluding his account of the tower of Babel.

Of the peoples, some still preserve the names which were given to them by their founders, some have changed them, while others have adopted a form of name designed to be more intelligible to those who are settled among them. It is the Greeks who are responsible for this. For when they subsequently rose to power they appropriated to themselves even the glory of the past, adorning the peoples with names which were intelligible to themselves and imposing on them a form of constitution as if they were descended from themselves. (*Ant.* 1, 121, Loeb trans.)

A little later he gives a specific example: “Amathus . . . which is still called ‘Amathe’ by the local people [*epichorioi*], though the Macedonians named it ‘Epiphaneia’ after one of the *epigonoi* [Alexander’s successors]” (*Ant.* 1, 138). Jerome confirms that “until our own time” the town was still called Hamath “both by the Syrians

[Syri] and by the Hebrews [*Hebraei*]" (*Hebr. Qu. Gen.* 10, 15–18, in CCL LXXII, 13). It is of course an unquestionable fact that there was large-scale city foundation by the Seleucids, primarily Seleucus I, in North Syria, in the Orontes valley, and in Mesopotamia. I need only refer to Seyrig's classic study of the urbanisation of North Syria by Seleucus I.¹ The effect in both areas was to produce, in the first instance, societies with two separate cultures: the Aramaic culture of Hellenistic Syria remains, it is true, almost invisible to us; the Akkadian culture of Babylonia, using the cuneiform script, was to survive at least until the first century A.D. It is not irrelevant to the present study that it produced one native-born interpreter in Greek, Berosus of Babylon, in the early Hellenistic period.² It was this world of contrasting cultures in Mesopotamia and Syria, cultures whose nature and functioning in the Graeco-Roman period remain almost wholly unintelligible, which eventually produced something like a fusion of cultures, in the form of Syriac Christianity. To illustrate this point I need only mention that Syriac literature originally stemmed from a Macedonian colony, Edessa.

All recent studies of Hellenisation or "Hellenism" have emphasised that a *fusion* of Greek and native cultures was categorically *not* what Greeks of the fourth century and after had intended. We have all learnt from Momigliano's *Alien Wisdom* (1975) how slight an interest Greeks took in other cultures. Martin Hengel in *Jews, Greeks and Barbarians* (1980) and Claire Préaux in her great masterpiece, *Le monde hellénistique* I–II (1978), as previously in "Réflexions sur l'entité hellénistique," *Chron. d'Ég.* 40 (1965): 129, have made clear that the conscious expressions of Greek opinion available to us envisage either an export of Greeks and their culture or at the most an adoption of that culture by "barbarians"; and that is of course also the retrospective view of Plutarch, with which I began. Pierre Briant (n. 1) has also argued that the Hellenistic foundations did in fact function, at least in the initial phase, as nuclei of social segregation and dominance in relation to the indigenous populations.

These analyses in effect seek—more or less successfully—to remove Droysen's notion of *Verschmelzung* from the logical field of the intentions of the actors in the fourth century and Hellenistic period. They are of considerable importance, even if—as is obvious—we cannot and do not *know* how the main actors, Alexander and the Seleucid kings, conceived the role of the cities which they founded. But two points arise in regard to Phoenicia in particular. Firstly, since

the foundation of Greek cities is central to the process of Hellenisation “from above,” it is important to emphasise that such foundations, if they took place at all, were not characteristic of coastal Phoenicia. Of the cities along the coast which Pseudo-Scylax listed in the mid-fourth century (*GGM* I, 78–79), almost all preserved their ancient non-Greek names and were not refounded—Arados, Tyre, Sidon, Botrys, Berytus, Sarepta, Ake, Doros, Joppa (so also Byblos, which this confused text does not mention). There is one clear marginal exception: Callimachus, coins, and the Zenon papyri all show that Ake had become “Ptolemais” by the 250s B.C.;³ there is also another possible (and temporary) exception, if coins of the second century B.C. with the legend in *Phoenician* “Laodicea, which is in [*or* metropolis of] Canaan” are rightly attributed to Berytus.⁴ It is also a curious fact that Tripolis already had this Greek name when Pseudo-Scylax was writing; what is more he explains it by the fact that the city was in some way tripartite, divided among Arados, Tyre, and Sidon. None the less, it has been suggested that a Phoenician root ^T RP with the meaning “grasp,” or here “new foundation,” might lie behind this term. The explanation is speculative, to say the least, but cannot wholly be ruled out.⁵

Phoenicia thus provides a very clear exception to Josephus’ general picture. No Greeks colonised Arados, Tyre, Sidon, or Byblos or renamed them in ways intelligible to themselves. Did any Seleucid or Ptolemaic king give any of them a new, Greek constitution? That is a question which we must postpone for a moment.

At all events the traces of an organised, deliberate effort of Hellenisation in Phoenicia are markedly slight. But even if no Greeks intended to “Hellenise” Phoenicia, such a Hellenisation might still have occurred. What is more, from the fact that (as it seems) no Greeks sought a *Verschmelzung* in Droysen’s sense, it does not in the least follow that no such fusion took place. If we take only the two most obvious criteria, language and architectural forms, then we have two perfectly clear cases of mixed cultures which evolved in the Hellenistic period on the desert fringes of the Syrian region: in Nabataea from the early Hellenistic period onwards and in Palmyra from the late Hellenistic period onwards.⁶

The case of Phoenicia, however, has two extra dimensions which make it quite different from any other area in the Near or Middle East. The first, and more important, is the surviving effects of Phoenician colonisation. If I may digress for a moment, our view of ancient

Mediterranean history remains, in spite of all our efforts, firmly Graeco-Roman. But we really could now write a Phoenician-Punic orientated history of the Mediterranean from the eighth century onwards, which would focus on the nature, spread, survival, and decline of Phoenician-Punic culture in Phoenicia itself, in Cyprus, in North Africa, in Sicily, in Spain, in Sardinia, and marginally in Italy.⁷ We are not talking about an insignificant or short-lived phenomenon. Let us take for instance a neo-Punic inscription from Bitia in Sardinia, which deserves a special place among the quite extensive Punic and neo-Punic inscriptions from the western Mediterranean. This is a building inscription, dated by a ruler whose name, written in neo-Punic letters, comes out as [’MP]R’ ^T R Q’YSR M’RQH ’WRHLY ’N ^T NYNH [’]WGS ^T H—“Imperator Caesar Marcus Aurelius Antoninus Augustus,” namely Marcus Aurelius, Caracalla or Elagabal.⁸ It does not matter which. For what the inscription shows is that at least *four* centuries after the Roman acquisition of Sardinia, Punic was still known, was used, and could be composed and written. We perhaps talk too glibly of the Romanisation of the western Mediterranean. It surely depended more than we have allowed on a previous Hellenisation or Punicisation (or whatever the word should be). Punic culture survived not only in Sardinia; in Africa Punic could be written until the second or third centuries, in neo-Punic, Latin, or Greek characters, and was spoken, at any rate as a peasant language, at least until the end of the fourth century A.D.⁹ When Augustine’s friend Valerius heard some peasants near Hippo use the word “shalosh” to mean three, he was very interested—but only because the concept “three” meant the Trinity and “shalosh” sounded hopefully like *salus*, salvation (*PL XXXV*, 2096). For our purposes it is a pity that he was not more intrigued by the fact that Punic had remained in use for no less than five and a half centuries after the end of Carthage—and that the peasants, when questioned, duly identified themselves as *Chanani*, “Canaanites.”

I use these examples mainly as models, to raise the question of what *might* have happened in Phoenicia proper. But in the Hellenistic period at least there is also some direct connection with the western colonies, a connection which was maintained unbroken through the period of Macedonian conquest. Everybody knows that the Phoenicians firmly declined Cambyses’ order to sail against Carthage (Herodotus 3, 19); but we may also recall that when besieged by Alexander the Tyrians sent at least some non-combatants to Carthage

(Diodorus 17, 41, 1–2). Moreover, when Alexander took the place, he captured there some Carthaginian envoys who had come “in accordance with an ancient law” to worship Herakles/Melqart (Arrian, *Anab.* 2, 24, 5.). Publication is also awaited of a fourth-century B.C. *Punic* funeral stele from near Tyre, of a native of Carthage who evidently died there.¹⁰ But far more important is Polybius’ splendid story of the escape of the Seleucid king Demetrius I from Rome in 162, in which he himself assisted; for the ship on which Demetrius travelled was a Carthaginian one on its way to take first-fruits to Tyre (31, 12, 11–12). If this obligation was maintained a mere sixteen years before the fall of Carthage, we can safely assert that the links between mother-city and colony never were broken.

These links have in any case to be seen against the background of the continued presence of Tyrians in the western Mediterranean; for instance, in the third or second century B.C. two Tyrian brothers made a dedication in Malta to Herakles/Melqart, the inscription being bilingual in Phoenician and Greek.¹¹ Nor was it ever forgotten that the Herakles whom Hellenised Tyrians worshipped (e.g., *Inscriptions de Délos*, no. 1519, from 153/2 B.C.) was really Melqart; this identification, already present in the pages of Herodotus, is clearly asserted by Lucian, *de Syria* 3. It was also surely not unknown to the Tyrian who in Lucian’s time, to be precise A.D. 187/88, made a dedication to *theos hagios* (the holy god) Herakles; a man by the name of Diodorus, son of Nithumbalus. It can hardly be an accident that the Greek name of the son has precisely the same meaning—“gift of god”—as the Phoenician name of the father.¹²

That brings me to the second dimension. Phoenician culture seems in some sense to have spread inland as well as overseas in the Hellenistic period, as Punic culture did also in North Africa after 146 B.C. This fact brings Phoenician culture into connection with the familiar phenomenon of the fusion of Greek and non-Greek deities in Syria, or alternatively the survival of non-Greek cults in a Hellenised environment. There is nowhere where it appears more vividly before us than in Herodian’s description of the cult of Elagabal at Emesa (5, 3, 2–6); what is significant is that Herodian thought that “Elagabal” was a Phoenician name and that Julia Maesa was “by origin a *Phoinissa*”; it is relevant that Heliodorus, the author of the *Aethiopica*, also describes himself (10, 41, 3) as a “Phoenician from Emesa.” Similarly, according to Josephus, in the 160s B.C. the Samaritans identified themselves as “Sidonians in Shechem” and asked that the

nameless God to whom their temple was dedicated should be called “Zeus Hellenios” (*Ant.* 12, 257–64). On the one hand, this evidence provides the essential analogy on which Bickerman based the view put forward in *Der Gott den Makkabäer*: that what the Maccabees were reacting against was a conscious reform movement within Judaism, designed to preserve the cult of the Highest God in a form acceptable to the rest of the Hellenistic world. On the other hand, it is further evidence, like the well-known inscriptions (in Greek) of the “Sidonians in Marissa” in Idumaea,¹³ that people in the inland areas could identify themselves as Phoenicians or Sidonians. The history of the Jews, from the kingdom onwards, is in any case to be seen as that of a small community in the hinterland, in the hills of Judaea or Galilee, behind the Phoenician, and a bit later Phoenician-Greek, cities of the coast; and the inland extension of Phoenician culture can only have intensified contacts. Phoenician is also the closest Semitic language to Hebrew; and to the very end Tyrian shekels were the standard currency in which the Temple dues were to be paid.¹⁴ Jesus and his followers did not have to travel very far to cross into the territory of Tyre and Sidon, where they met a woman whom Mark (7:26) calls a “Greek woman, a Syro-Phoenician by birth,” and Matthew (15:22) a “Canaanite.” By comparison with the hopeless confusingness of most ethnic labels from antiquity this contrasted pair is actually quite informative.

Opinions of course differ on the question of how fundamentally the Judaism which Jesus represented had itself been Hellenised. I would still hold to the view that what is significant is not such Hellenisation as there was, but the maintenance of a historical, religious, and cultural tradition enshrined in sacred books in Hebrew (which were however available, even in Judaea, in Greek translation) and which could generate further religious works in both Hebrew and Aramaic.¹⁵ Given the very close geographical, historical, and linguistic links between Judaea and Phoenicia, we may reasonably allow the vitality of Jewish historical and religious culture to pose the question as to whether, or to what extent, the same might have been true of Phoenicia.

It is indeed at this level alone, or so it seems to me, that we can actually approach the question of the Hellenisation of the Phoenician cities: that is the level of conscious historical tradition and identity. The archaeological record for this period is extremely poor; nothing that I have found, at any rate, has given me any clear conception of a

material culture of Phoenicia in the Persian period,¹⁶ which might or might not have been transformed by Hellenistic influences. Nor, I think, is it possible to discern anything about any possible changes in the relations of production. Whether or not it is useful to talk of an "Asiatic mode of production,"¹⁷ the question is often asked whether Hellenisation brought with it a system of production based on the ownership of slaves by private persons; or whether on the contrary no such change took place, large-scale landownership, with the land being worked by dependent labourers, remained the rule, and therefore the Greek *polis* in Asia bore no real resemblance to the original, as Kreissig has argued.¹⁸ Such fundamental questions of social structure seem difficult to relate to Phoenicia if only because, from what little we know, the Phoenician cities seem already to have exhibited a market economy based on private wealth, in which trade was at any rate a distinctive feature. That is to say, they exhibited what has been called *Vorhellenismus*, namely being rather like Greek *poleis* anyway.¹⁹

Nor have we enough evidence even to illustrate the effects of entry into the Hellenistic world on ordinary life in Phoenicia. By contrast we have Aramaic ostraca of the third century B.C. from Idumaea, from Jerusalem, and from Elath which already show extensive penetration of Greek loan-words in economic life, even at this early date.²⁰ In Phoenician, so far as I know, we have no such non-formal written documents from this period. The nearest we have are mere scraps of evidence: an inscribed jar from near Jaffa, probably of the later fourth century;²¹ or a badly damaged Phoenician papyrus of unknown origin, now in the Cairo Museum, and thought to be of the fourth or third century, which is in some way concerned with the delivery of natural products.²²

There seems at the moment to be no way of reaching any idea of changes in the structure of ordinary life from the Persian to the Hellenistic period in Phoenicia. What can be done is perhaps three things: to look at the continued use of Phoenician as represented on formal inscriptions put up by individual Phoenicians abroad in the Hellenistic period; to look at the evolution of the cities as communities; and to ask if there was anything which resembled the continuous historical and religious tradition which is so strikingly characteristic of Judaea. In other words if our evidence will tell us anything, it is only at the level of conscious, formal expression.

If we were to set out laboriously to collect the epigraphic

references to, or by, citizens of the Phoenician cities abroad in the Hellenistic world, we know anyway what we would find: that the majority appear as Greek in language and nomenclature.²³ Nor would we learn anything significant if we collected all the examples of Semitic names in use among these people, as they certainly were throughout the classical period. It does, however, have some significance, if only illustrative, that at least some Phoenicians abroad continued to compose and inscribe texts in Phoenician. At Demetrias, for example, three men from the third century B.C., all with Greek names—one from Sidon, one from Arados, and one from Kition—have left brief inscriptions in Phoenician.²⁴ In Athens we have a bilingual Greek-Phoenician inscription giving a fine example of equivalence, or semi-equivalence, in theophoric names. Artemidorus son of Heliodorus, a Sidonian, appears in his Phoenician form as 'BD TNT BN 'BDŠMŠ. Tanit therefore equals Artemis, as Shemesh (the Sun) certainly does Helios. But the root 'BD means "slave," not "gift" (as "-dorus" in "Heliodorus" does).²⁵ On another bilingual inscription, probably of the third century, from the Peiraeus, the female name 'SPT daughter of 'ŠMNŠLM is transliterated

Ἀσεπτῆ Εὐμυσεληοῦ and a Phoenician dedication of an altar, perhaps of the second or first century, mentions a man who was son of B'LY T WN, the ŠP T (*shofet*, i.e., "judge"; see text to n. 52 below).²⁶ There is also a substantial eight-line Phoenician inscription, accompanied by a one-line Greek text, from the Peiraeus, probably of the mid-third century, and dated by "the 14th year of the people of Sidon," which shows the *koinon* (community) of the Sidonians there crowning a religious official. Once again his Greek name, "Diopeithes," is vaguely equivalent to his Phoenician one, ŠMB'L—"God has heard."²⁷ There are also, for instance, three brief Phoenician-Greek bilingual inscriptions from Rhodes, probably of the early third century.²⁸

Taken together, this scatter of inscriptions is of some significance. Citizens of Phoenician cities, who were not peasants and were well enough off to leave inscriptions, could not merely deploy both languages but could use equivalents both for the names of deities and for their own names. They did not have to inscribe in Phoenician as well, but chose to do so. In a small way these inscriptions are precise examples of that *Verschmelzung* which some modern scholarship has tended to deny.

A similar pattern is visible if we follow the communal life of the

Phoenician cities through the period of transition. I will not try to rehearse the complicated evidence for the dynasties of Phoenician kings whom Alexander found. For instance, the dynasty of the kings of Sidon has been reconstructed in two quite different ways down to Abdalonymus, who was in power when Alexander arrived.²⁹ What is clear is that some kings remained in power after Alexander, and continued to issue Phoenician coinage in their own names, for instance in Arados, Byblos, and Tyre (where on the coinage of King Azemilkos continues from 347/6 to 306/5 B.C.).³⁰

There was thus a certain continuity through the period of Alexander's conquests. But a change does seem to come in the first half of the third century. Philocles, "king of the Sidonians" (whose origins and career are highly uncertain),³¹ is last heard of in about 280 B.C.; and the era "of the people of Sidon" (above) probably starts soon after that; the era of Tyre starts from 275; and Arados appears to have lost its king by about 259, when a new era starts, and the coinage makes no further reference to a king;³² at about the same time the inventories of Delos record offerings by the "Byblioi" collectively, with no king mentioned.³³ So what happened? Are we to envisage a deposition of the kings and a grant or "charter" of the status of a Greek *polis* to these cities? That some such grant *could* happen is suggested by the request to Antiochus IV for the Jerusalemites to be enrolled as "Antiochenes" in the late 170s (2 Macc. 4:9). A. H. M. Jones implicitly, if not quite explicitly, identified this mid-third-century change in Phoenicia as an administrative act carried out from above: "a thorough reorganisation of the administrative system took place. In the first place the Phoenician dynasties were suppressed."³⁴ An even more confident characterisation is given by S. K. Eddy: "The Phoenician cities of Tyre and Sidon, a part of the Ptolemaic Empire, were reorganised as hellenic *poleis* during the latter part of the third century, and they accepted this without protest."³⁵ But in fact it is not easy to see this process quite in those terms, if only because it took place more or less simultaneously in areas which were then under Ptolemaic control, such as Tyre and Sidon, and in the Seleucid Empire, at Arados. Thus a Phoenician inscription of 222 B.C., from Umm El-'Amed near Tyre, dated by the 26th year of Ptolemy III and the 53rd year of the people of Tyre.³⁶ In the next century another Phoenician inscription from the same site is dated to the 180th year of the Seleucid era and the 143rd of Tyre, i.e., 132 B.C.³⁷ We have already seen the Phoenician inscription from Athens dated by "the 14th year of the people of Sidon" (text following n. 26 above). These

eras must certainly refer to precise events; but as to the nature of the events we have no evidence. No specific royal actions are attested in this connection. Moreover, whatever occurred cannot have been either the imposition or the acceptance of a fully Greek constitution. This is clear from the simple fact that both the documents (inscriptions and coin legends) and the actual institutions of these cities, Tyre above all, retained a mixed, Phoenician-Greek character. For instance there is a second-century B.C. inscription in Phoenician from Sidon which mentions what is evidently a man's official position, but it is unintelligible to us; the phrase is 'RB 'BR LSP $\overline{\text{T}}$ RB ŠNY.³⁸ Moreover, several persons each described as ŠP $\overline{\text{T}}$ (*shofet*: judge) are mentioned on an inscription from Tyre which is undated, but evidently later than the period of the kings;³⁹ we may note also a priest (KHN) of MLK-ŠTRT at Umm el-'Amed near Tyre.⁴⁰ As is well known, Bickerman suggested convincingly that we should see such a judge (*shofet*) in the *dikast* $\overline{\text{E}}$ s named Diotimus mentioned on an inscription of circa 200 from Sidon (see text to n. 52 below). These documents, however difficult their interpretation may be, are surely sufficient to prove that public offices identified by Phoenician names existed in some cities after the supposed grants of Greek constitutions by kings—events for which in any case there is no direct evidence.

It was long after the commencement of the "era of the people of Tyre" that they did gain a privilege from a king, namely *autonomia*; the grant is attested by Strabo, and the coins indicate a date of 126/5 B.C.⁴¹ A royal grant is also mentioned in the case of Arados, from the Seleucid king Seleucus Callinicus (246–225 B.C.); but the privilege mentioned is not recognition as a Greek city but the right of asylum (Strabo, *Geog.* 754). However the coins of Arados, which begin in 243/2 B.C., date by an era of 259 B.C. At any rate whatever was being celebrated at Arados in the coining of tetradrachms between 243/2 and 190, it cannot have been Arados' status as a purely *Greek* city, since a large proportion are stamped in Phoenician letters; Greek lettering is of course also found.⁴²

There are as yet no inscriptions from Arados itself from the Hellenistic period. When we finally arrive at the earliest inscription from Arados (*IGLS* VII, no. 4001), we are already in the reign of Augustus, 25/4 B.C.; but the inscription is bilingual, in Phoenician and Greek. The dedicant is a gymnasiarch, but bears a Phoenician name. The deities mentioned are Hermes—on this occasion the name is transliterated into Phoenician in the form 'RM[...—and Herakles/

Melqart. This seems also to be the latest firmly dated inscribed text in Phoenician. There is, however, one dedicatory Phoenician inscription from a temple in Byblos, which may be of the first century A.D. (KAI, no. 12). In the Roman period, so far as inscriptions reveal, the cities of Phoenicia appear as entirely Greek. We may think for instance of the famous inscription of the Tyrian traders at Puteoli in A.D. 174 (OGIS 595), with their letter addressed to the *archontes* (magistrates), *boul* $\bar{\epsilon}$ (council), and *d* $\bar{\epsilon}$ *mos* (people) of the city, and with the *acta* (proceedings or decisions) of the *boul* $\bar{\epsilon}$ which followed in response. None the less, two things are apparent in the inscriptions; the persistence of Phoenician names, and the battery of distinctive titles which the major cities claimed—“*hiera* [holy], *asylos* [with the right of asylum], *autonomos*, *m* $\bar{\epsilon}$ *tropolis* [mother-city] of Phoenice and the cities of Coele Syria.” Both features are attested for instance in the inscription put up at Didyma (*Ins. Didyma*, no. 151) by Tyre in honour of Julius Quadratus of Pergamon; the ambassadors were called Marion son of Marion and Zoilos son of Bodas. The inscriptions thus both embody a claim to a glorious past and reflect a local dispute for precedence which was to be long-lasting even by the standards of the ancient world. For it was in A.D. 448/50 that Theodosius II and Valentinian III ruled that Berytus also should have the title of *metropolis*. Tyre, they say, should not feel that her dignity was impaired: “Let her [Tyre] be mother of the province [*mater provinciae*] by the *beneficium* [favour] of our ancestors, and Berytus by ours” (CJ 11, 22, 1). “Mother of the province” is a distinctive (though not unique) term, which might reflect the Phoenician expression ’M $\bar{\epsilon}$ DN $\bar{M}$ —“mother of the Sidonians,” which had appeared on the coins of Tyre in the Seleucid period, six centuries before.

In any case, if the inscriptions of the Roman period (so far at least) hardly reveal any Phoenician elements, the coins certainly do. It is true that it is only in the Hellenistic period that the coins carry intelligible legends in Phoenician. But under the Roman Empire the coins of Sidon and Tyre continue to show occasional whole words, and very frequently individual Phoenician letters; and in the case of Tyre these persist up to the late second century A.D.⁴³ That need not of course mean very much in terms of the survival of language. The letters could even have been a fossilised feature which no longer conveyed any specific meaning. But even so, once again, they did not *have* to be used. The fact that they were at least reflects a consciousness of continuity with a city’s Phoenician past.

But was that all? The answer depends on whether we put any degree of trust in what our literary sources tell us.

According to Josephus, Tyre possessed archives which went back to the period of Hiram and Solomon. A number of passages in the *Antiquities* and *Against Apion* use their evidence as support for the authenticity of the Old Testament narrative. In most cases Josephus claims to be dependent on Hellenistic writers who had translated these documents, namely Menander of Ephesus (*Ant.* 8, 144 = *C. Ap.* 1, 116–17; *Ant.* 9, 283–87) or Dios (*Ant.* 8, 147–49; *C. Ap.* 1, 106–15). But in *Ant.* 8, 55 he is more explicit about the preservation of these documents: “To this day there remain copies of these letters, preserved not only in our books, but also by the Tyrians, so that if anyone wished to learn the exact truth, he would, by inquiring of the public officials in charge of the Tyrian archives [*gazophylakion*] find that their records are in agreement with what we have said” (Loeb trans.). Of course there are many difficulties about this. Josephus may still be repeating a Hellenistic source; and even if a Hellenistic writer truthfully related having translated a document preserved at Tyre, that document may itself have been a historical forgery. Moreover, the contents of the archives at Tyre are always, as quoted, alarmingly early. No one claims to have used a continuous archive coming down through the Persian and Hellenistic periods; the furthest we get is from Josephus (*C. Ap.* 1, 155–58): a report of a Phoenician record of the kings of Tyre down to Cyrus’ time. None the less, *either* what Josephus says is just false, *or* it was at least believed at Tyre that they possessed records which went back to the tenth century B.C. (Phoenician writing in fact went back earlier than this). But in any case it does not matter, since what is relevant for us is the sense of continuity with a pre-Greek past. Moreover, it was certainly believed in the Graeco-Roman world that there was an independent Phoenician historical tradition. So, in Athenaeus’ *Deipnosophistae*, one of the diners, addressing Ulpian of Tyre, the main speaker, talks of “those who write Phoenician histories, your compatriots, Sanchuniathon and Mochos” (126A). Mochos was supposed to have been a Sidonian who had lived before the Trojan War; Posidonius alleged that he had discovered the theory of atoms (Strabo, *Geog.* 757); Josephus mentions him in support of biblical reports of the longevity of the patriarchs (*Ant.* 1, 107). More relevant, he was one of three Phoenician writers whom one Laetus, an author of biographies of philosophers, is said by Tatian (*ad Gr.* 37) to have translated into Greek. Sanchuniathon, from Berytus, was also said to have written in Phoenician in the same

period, and it was his work on Phoenician mythology which Philon of Byblos claimed to have translated in the early second century. The survival of some long extracts of this work in Eusebius' *Praeparatio Evangelica* may be due to another Phoenician, Porphyry of Tyre (whose real name, Malchus, was Semitic, "Porphyrios" being a pun on Malchus—Melech—king). Nobody is going to reach agreement on the age or authenticity of the Phoenician original, if indeed there was one, as a literary work. An unprecedented volume of modern work on Philo's *History* has concurred in the view that its entire structure is Hellenistic.⁴⁴ Philo himself may have composed it de novo; or perhaps there may have been an early Hellenistic original, a parallel to the nationalistic expositions of Berosus and Manetho. It is also worth noting that the point that what passed as an independent Phoenician religious view-point was actually Greek had already been made by Pausanias (7, 23, 7–8). At Aegium, he reports, a Sidonian argued with him, saying that Phoenician ideas of divinity were superior to Greek ones; they said that Asclepius was air, and the son of Apollo, the Sun—Pausanias replied that this account was no more Phoenician than Greek. But it seems beyond all question that Philo's material *does* contain elements which are not derivable from Greek traditions, and which can be brought into relation with the Phoenician divinities as they appear in the Ugaritic tablets and elsewhere. The entire work as preserved is based on Greek conceptions; but what can categorically *not* be asserted is that the material which finally came through to Eusebius, in Caesarea, was fictional, and not Phoenician at all. Among the fragments of Philo we may note also that in talking about human sacrifice in circumstances of extreme danger, he remarks that among the Phoenicians an only son is still called by a term, which he transliterates as *ἑοῦς* in Greek (clearly reflecting the Semitic root for "one"; *FGrH* 790, F 3b), and their god is (still) called *El*. Furthermore, Eusebius, probably following Porphyry, claims that what was reported from Sanchuniathon gained credibility "from the names of the gods still used in the cities and villages of Phoenicia, and the myths attached to the mysteries celebrated among them" (*PE* 1, 10, 55). It is entirely consonant with this that modern detailed studies of the *Phoenician History* regard it not as good evidence for an actual literary work of the second millennium B.C., but as a reflection of Greek interpretations of Phoenician religion.

It would also be valuable if we could understand how "Phoenician" (if at all) Porphyry himself was; and on this I still cannot find any

evidence.⁴⁵ That his *name* was Phoenician, and that he and his friends knew what it meant, is hardly very significant; nor is Eunapius' statement that he came "from Tyre, the foremost city of the ancient Phoenicians" (*Vit. Soph.* 455). But perhaps it is, precisely in that *that* was how it seemed relevant to Eunapius to characterise the place: it did not apparently matter to him that since about 198 the city had been a Roman *colonia*. We know this best of course from the other Ulpian of Tyre, not the Greek Sophist of Athenaeus but his relative (as he surely was), the lawyer: *ut est in Syria Phoenice splendidissima Tyrionum colonia, unde mihi origo est* (as is the most magnificent colony of the Tyrians in Syria Phoenice, from where I come, *Dig.* 50, 15, 1). He is stretching a point, or passing over one; for when he was born, which was certainly not later than 174 when the *boulē* (council) dismissed the complaints of the traders, and long before 187/8, when Diodorus son of Nithumbalus made his dedication to Herakles/Melqart, Tyre was still a Greek city. But was it perhaps something else as well? In Ulpian's eyes certainly: for he goes on: "distinguished among its neighbours, of the most remote antiquity, powerful in war, most tenacious of the treaty it struck with Rome." By "of the most remote antiquity" he did not mean merely that it had been a Hellenistic *Greek* city. If he did, there had still been in his lifetime the Phoenician letters on the city's coins to remind him otherwise, as well as the Phoenician names borne by his fellow citizens. Did they also still speak a language distinct both from Greek and from Aramaic, as they certainly had when Meleager of Gadara, in about 100B.C., composed his well-known epigram about how to greet someone in Aramaic, Greek, and Phoenician?⁴⁶ There is no direct evidence. But it is Ulpian who states that an *obligatio* (legal obligation) could undoubtedly be created by a question in Latin and an answer in Greek or vice versa, and who asks whether this principle could be extended "to another language, perhaps Punic or Assyrian" (*ad alium [sermonem], Poenum forte vel Assyrium*, *Dig.* 45, 1, 1, 6). "Assyrian" (*Assyrius sermo*) is certainly Aramaic; so perhaps Punic (*Poenus sermo*) is not the Punic of Africa or Sardinia,⁴⁷ but the other ancient language of his own area, Phoenician. The coupling of the two languages then reads quite naturally.

The Phoenician cities can therefore be taken to represent a rather special case of Hellenisation, and it is very striking how small a part they have played in discussions of the nature of Hellenism. They were not colonised or re-founded by Alexander or his successors (the *diadochi*). They did not on the whole lose their names, in the way that

Josephus described as typical. There are no clear indications that they were given Greek constitutions by the Ptolemies or Seleucids. On the other hand they most certainly did not remain un-Greek. They were not temple communities based on a priesthood, like Babylon or Jerusalem. They did in some sense become Greek cities, whose inhabitants were at home in the Hellenistic and Graeco-Roman worlds. Yet the available evidence, scattered and inadequate though it is, surely suffices to show that there was much continuity with their Phoenician past—in language and perhaps in institutions; certainly in their cults; probably in some sort of literary tradition; *perhaps* in the preservation of archives; and certainly in a continuous historical consciousness. This last was helped of course by recognition from outside; we saw earlier how Carthage to the very end continued to send first-fruits to Tyre. How relevant was it that Punic continued in use in the western Mediterranean long after the fall of Carthage and well on into the Roman Empire? It is worth recalling also the dedication to Septimius Severus' son Geta, put up at Lepcis Magna by the city of Tyre, which is there called “the Septimian colony of Tyre, mother-city of Phoenicia and of other cities” (*Septimia Tyros Colonia, Metropolis Phoenices et aliarum civitatum*) (IRT, no. 437). That must be an allusion to the Phoenician colonisation of North Africa, and is a parallel to Ulpian's reference to the antiquity of Tyre. A little later coins of Tyre show Dido supervising the foundation of Carthage.⁴⁸ Would it be pure speculation to see in this consciousness one source of the rash of grants of the status of *colonia* made to Syrian cities by Septimius Severus from Lepcis, the husband of a lady from Emesa (which Herodian and Heliodorus thought of as also being Phoenician)?

However, it is also relevant that the role of archaic Phoenicia in trade, shipping, and colonisation was a well-established part of the Graeco-Roman historical tradition.⁴⁹ For instance, Pliny the Elder (*NH* 5, 76) contrasts the modest commercial activity of the present—purple fishing—with Tyre's former glory as a colonising city; Strabo in the *Geography* (756–57) similarly emphasises the colonial past of Tyre, as well as the ship-building and trade of Sidon, and the Sidonian development of astronomy and arithmetic, as a result of the needs of navigation; while Pompeius Trogus in book 18 narrates in detail the flight of Elissa (Dido) from Tyre and the foundation of Carthage.

But of course the most important contribution to Graeco-Roman culture made by Phoenicia had been the art of alphabetic writing.

Everybody (rightly) accepted that on the basis of Herodotus 5, 58, though Eupolemus, in the second century B.C., asserted that writing had been invented by Moses, who taught it to the Hebrews, after which it was transmitted by the Phoenicians to the Greeks.⁵⁰ It was so much a part of the common stock of historical knowledge that in the second century A.D. the Sophist Hadrianos of Tyre could open his first performance in Athens with the famous words “Again letters [*grammata*] have come from Phoenicia” (Philostratus, VS 2, 10). The content of his proclamation was familiar, but the point could not have been made with the same overtones by someone who was not from Phoenicia.

The transmission of the alphabet was of course only one element in the legend of Kadmos, the son of Agenor, who came from Tyre or Sidon, and after various adventures, including the search for his kinswoman, Europe, founded Thebes and ruled there. The infinitely varied forms which the legend took was studied by Ruth B. Edwards, *Kadmos the Phoenician* (1970). It is extremely significant that this legend was subsequently integrated and internalised in Phoenicia itself. We may not wish to use Achilles Tatius’ novel *Leucippe and Cleitophon* as evidence, with its description of a painting of Europe to be seen in the temple of Astarte in Sidon (1, 1, 2) or its brief reference to the worship of Kadmos there (2, 2, 1). But the Hellenistic and imperial coins of Tyre and Sidon which represent Kadmos and Europe are incontrovertible evidence; on one Tyrian coin from the reign of Gallienus, Kadmos is shown giving a papyrus roll to three Greeks.⁵¹ Equally good evidence is offered by the well-known inscription of the *dikast* ⲉ s or *shofet* (judge; see text to n. 26 above) from Sidon, Diotimus, who in the late third century B.C. won the chariot race at the Nemean games: “You were the first of the citizens to bring back from Greece the glory of the chariot race to the house of the descendants of Agenor. The sacred town of Cadmeian Thebes also rejoices to see her mother-city made famous by her victories.”⁵²

We might well see the Hellenisation of Phoenicia, in the first instance, as one of a number of examples from the eastern Mediterranean of a process which began long before Alexander. In Phoenicia, as in the other cases, it was based on long interaction with the Greek world,⁵³ and received a further impulse from the ambitions and self-glorification of fourth-century dynasts. Greek art had exerted a profound influence before Alexander; in this context we may note the beautifully cut and entirely Greek reliefs of the mid-fourth century

on what is probably a throne from the sanctuary of Eshmun/Asklepios in Sidon.⁵⁴ But the most consistent evidence for Greek influences is provided by the coinages of the Phoenician cities, beginning in the fifth century; as Colin Kraay wrote, “The coinage of the Phoenician cities is the most notable and elaborate example of the transplantation of this Greek institution into an area culturally alien.”⁵⁵ It may seem a paradox, but is not, that it was also these city coinages which were to continue longest to exhibit Phoenician lettering (text to n. 43 above) and themes from the Phoenician past (see above).

Fourth-century dynasts, in Phoenicia and elsewhere, certainly contributed something at least to the superficial Hellenisation of their areas. Thus, for instance, we have Theopompus’ famous description of the luxury and display of Straton of Sidon, his hiring of entertainers from Greece, and his rivalry with Nicocles of Salamis (Athenaeus, *Deipn.* 531). It was either this Straton or the one whom Alexander found in power under whom merchants from Tyre dedicated statues representing Tyre and Sidon to Delian Apollo, commemorating this with a bilingual inscription.⁵⁶ The impulse given to Hellenisation in Caria by the dynast is equally the main theme of Simon Hornblower’s *Mausolus* (1982); and the dynastic monuments, the bi- and trilingual inscriptions, and the coins of fifth- and fourth-century Lycia provide ample evidence of comparable influences there.⁵⁷ We are thus presented with the agreeable paradox that the most clear and convincing cases of *Verschmelzung* in Droysen’s sense from the Greek East with which our evidence now presents us were ones which began before Alexander, and where it remains quite unclear how much their cultural evolution owed to the Macedonian conquest.

In the case of Phoenicia, however, there was perhaps more to it than that. Firstly, the Phoenician cities already bore at least some resemblance to Greek city-states; it is not easy to say what if any significant social changes their (partial) evolution into Greek *poleis* will have necessitated. Secondly, and more important, when the Phoenicians began to explore the storehouse of Greek culture, they could find, among other things, themselves, already credited with creative roles—not all of which, as it happens, were purely legendary. If some aspects were just legend, like the story of Kadmos, what is clear is that the Phoenicians adopted it (perhaps, like the legend of Aeneas in Italy, very early) and made it their own. In doing so they acquired both an extra past and a reinforcement of their historical identity; and they also simultaneously gained acceptance as being in

some sense Greeks. It is relevant to observe that the Romans, admitted to the Isthmian games in 228 B.C., probably a little before Diotimus of Sidon won the chariot race at Nemea, earned a similar acceptance on similar grounds. The famous inscription of the 190s from Lampsacus shows that the city appealed to the Romans as “relatives,” on the basis of their descent from Troy.⁵⁸

That was also, it need hardly be said, the period of the birth of Latin literature. We might well wonder why it was in Rome and not in Phoenicia that there evolved, entirely without the aid of a conquering Macedonian state, the only literary culture which really was a “fusion” in Droysen’s sense.

Notes

* First published in *Proceedings of the Cambridge Philological Society* 209 (1983): 54–71. Earlier versions were read at the Cambridge Philological Society in April 1982 and subsequently at the Institut für Alte Geschichte und Epigraphik in Munich and at the Istituto di Storia Antica at Pavia. Since it cannot pretend in any case to be more than a sketch, it has been left in the same form, with added annotation.

1. H. Seyrig, “Séleucus I et la fondation de la monarchie syrienne,” *Syria* 47 (1970): 290. Note also the important study, by P. Briant, “Colonisation hellénistique et populations indigènes: la phase d’installation,” *Klio* 60 (1973): 57 = P. Briant, *Rois, tributs et paysans: études sur les formations tributaires du Moyen-Orient ancien* (1982).

2. *FGrH* 680. See S. M. Burstein, *The Babyloniaca of Berossus* (Sources and Monographs, Sources from the Ancient Near East, 1.5, 1978).

3. For the evidence Schürer, Vermes, and Millar, *History* II, 122.

4. *BMC Phoenicia* 1ff., 51–52. See R. Mouterde, “Regards sur Beyrouth phénicienne, hellénistique et romaine,” *Mél. Univ. St. Joseph* 40 (1964): 156.

5. K. Galling, “Die syrisch-palästinische Küste nach der Beschreibung des Pseudo-Skylax,” *Studien zur Geschichte Israels im persischen Zeitalter* (1964), 191. The question of the name is not discussed in the valuable article by J. Elayi, “Studies in Phoenician Geography during the Persian Period,” *JNES* 41 (1982): 91–92.

6. For Nabataea, see Schürer, Vermes, and Millar, *History* I, app. 2; Y. Meshorer, *Nabataean Coins* (Qedem III, 1975); M. Lindner, ed., *Petra und das Königreich der Nabatäer* (1974). For Palmyra, see M. A.

R. Colledge, *The Art of Palmyra* (1976).

7. For Phoenician settlement, note C. R. Whittaker, "The Western Phoenicians: Colonisation and Assimilation," *PCPS* 20 (1974): 58, and the important volume edited by H. G. Niemeyer, *Phönizier im Westen* (Madrid: Beitr. *Äg.* VIII, 1982). For a sketch of the role of Punic in the western Mediterranean in the Roman period, see W. Röllig, "Das Punische im römischen Reich," in G. Neumann and J. Untermann, eds., *Die Sprachen im römischen Reich der Kaiserzeit* (1980), 285.

8. For the text, see M. G. Guzzo Amadasi, *Le iscrizioni fenicie e puniche delle colonie in Occidente* (1967), 133, no. 8; *KAI*, no. 173.

9. See F. Millar, "Local Cultures in the Roman Empire: Libyan, Punic and Latin in Roman Africa," *JRS* 58 (1968): 126 (= chapter 12 of Fergus Millar, *Rome, the Greek World, and the East II: Government, Society, and Culture in the Roman Empire*); see also Röllig (n. 7).

10. This is reported by J. Teixidor in "Bulletin d'épigraphie sémitique," 1977, no. 93, published in *Syria* 54.

11. Guzzo Amadasi (n. 8), no. 1.

12. See M. Chéhab, "Tyr à l'époque romaine," *Mél. Univ. St. Joseph* 38 (1962): 13, on p. 17.

13. *OGIS* 593. Note the re-examination of the extent of Hellenisation in Marisa by G. Horowitz, "Town Planning of Hellenistic Marisa," *PEQ* 112–13 (1980–81): 93.

14. See A. Ben-David, *Jerusalem und Tyros: ein Beitrag zu palästinenensischen Münz- und Wirtschaftsgeschichte, 126 a.c.–57 p.c.* (1969).

15. F. Millar, "The Background to the Maccabean Revolution: Reflections on Martin Hengel's *Judaism and Hellenism*," *JJS* 29 (1978): 1 (= chapter 4 in the present volume).

16. Compare, however, E. Stern, *Material Culture of the Lands of the Bible in the Persian Period, 538–332 B.C.* (1982).

17. See most recently L. Zaccagnini, "Modo di produzione asiatico e vicino Oriente antico. Appunti per una discussione," *Dial. di Arch.* 3 (1981): 3.

18. H. Kreissig, "Die Polis in Griechenland und im Orient in der hellenistischen Epoche," in E. C. Welskopf, ed., *Hellenische Poleis II* (1974), 1074.

19. J. P. Weinberg, "Bemerkungen zum Problem 'Der Vorhellenismus im Vorderen Orient,'" *Klio* 58 (1976): 5. For a very useful survey of the available evidence, note J. Elayi, "The Phoenician

Cities in the Persian Period,” *Journal of the Ancient Near Eastern Society of Columbia University* 12 (1980): 13.

20. Idumaea: L. T. Geraty, “The Khirbet el-Kôm Bilingual Ostrakon,” *BASOR* 220 (1975): 55. Jerusalem: F. M. Cross, “An Aramaic Ostrakon of the Third Century B.C.E. from Excavations in Jerusalem,” *Eretz Israel* 15 (1981): 67*. Elath: N. Glueck, “Ostraca from Elath,” *BASOR* 80 (1940): 3.

21. B. Peckham, “An Inscribed Jar from Bat-Yam,” *IEJ* 16 (1966): 11.

22. *KAI*, no. 51.

23. For the case of Arados, see the collection by J.-P. Rey-Coquais, *IGLS VII*, 1187–90.

24. O. Masson, “Recherches sur le Phéniciens dans le monde hellénistique,” *BCH* 93 (1969): 679.

25. *KAI*, no. 53: J. C. L. Gibson, *Textbook of Syrian Semitic inscriptions III: Phoenician inscriptions* (1982), no. 40.

26. G. A. Cooke, *Textbook of North Semitic Inscriptions* (1903), nos. 35, 34.

27. Cooke (n. 26), no. 33; *KAI*, no. 60; Gibson (n. 25), no. 41.

28. P. M. Fraser, “Greek-Phoenician Bilingual Inscriptions from Rhodes,” *ABSA* 65 (1970): 31.

29. Compare E. T. Mullen, “A New Royal Sidonian Inscription,” *BASOR* 216 (1974): 25, and M. Dunand, “Les rois de Sidon au temps des Perses,” *Mél. Univ. St. Joseph* 49 (1975–76): 491.

30. A. Lemaire, “Le monnayage de Tyr et celui dit d’Akko dans la deuxième moitié du quatrième siècle av. J.-C.,” *RN* 18 (1976): 11.

31. See J. Seibert, *Historia* 19 (1970): 337.

32. J.-P. Rey-Coquais, *Arados et sa pérée aux époques grecque, romaine et byzantine* (1974), 153–54.

33. E.g., *Ins. Délos*, no. 313 a. 34. See Ph. Bruneau, *Recherches sur les cultes de Délos* (1970), 113.

34. A. H. M. Jones, *Cities of the Eastern Roman Provinces*² (1971), 238–39.

35. S. K. Eddy, *The King Is Dead: Studies in the Near Eastern Resistance to Hellenism, 334–31 B.C.* (1961), 131.

36. *KAI*, no. 19; cf. M. Dunand and R. Duru, *Oumm el-’Amed* (1962), 185, no. 4 (without text); Gibson (n. 25), no. 31.

37. Cooke (n. 26), no. 9; KAI, no. 18; cf. Dunand and Duru (n. 36), 181, no. 1 (no text).

38. Cooke (n. 26), no. 7; cf. *BES* 1979, no. 121, for a discussion.

39. Cooke (n. 26), no. 8.

40. Dunand and Duru (n. 36), 188, no. 6.

41. Strabo, *Geog.* 757. For the coins *BMC Phoenicia* CXXV, 233–34.

42. See H. Seyrig, “Aradus et sa pérée sous les rois séleucides,” *Syria* 28 (1951): 206.

43. See *BMC Phoenicia*, 166–67 (Sidon); 233–68 (Tyre).

44. *FGrH* 790. See for instance L. Troiani, *L’opera storiografica di Filone da Byblos* (1974); R. A. Oden, “Philo of Byblos and Hellenistic Historiography,” *PEQ* 110–11 (1978): 115; and a monograph containing text, translation, and discussion, A. I. Baumgarten, *The Phoenician History of Philo of Byblos* (1981).

45. See F. Millar, “Porphyry: Ethnicity, Language and Alien Wisdom,” in J. Barnes and M. T. Griffin, eds., *Philosophia Togata II: Plato and Aristotle at Rome* (1997), 241–62 (= chapter 13 in the present volume).

46. *Anth. Pal.* 7, 419; A. S. F. Gow and D. L. Page, *The Greek Anthology: Hellenistic Epigrams* (1965), 217, no. iv.

47. So F. Millar (n. 9), 130–31.

48. E.g., *BMC Phoenicia*, Tyre, no. 409; *Sylloge Nummorum Graecorum, Danish National Museum: Phoenicia* (1961), no. 371.

49. For this tradition, see the exhaustive treatment by G. Bunnens, *L’expansion phénicienne en Méditerranée* (1979).

50. *FGrH* 723, F. 1. See B. Z. Wacholder, *Eupolemus* (1974).

51. *BMC Phoenicia*, no. 318; Kadmos and Greeks: Tyre, no. 488, pl. XXXV.1.

52. E. Bickerman, “Sur une inscription grecque de Sidon,” *Mélanges Dussaud* I (1939), 91. Translated by M. M. Austin, in *The Hellenistic World* (1981), no. 121.

53. See now P. J. Riis, “Griechen in Phönizien,” in Niemeyer (n. 7), 237 (for the archaic period); J. N. Coldstream, “Greeks and Phoenicians in the Aegean,” in Niemeyer (n. 7), 261.

54. E. Will, “Un nouveau monument de l’art grec en Phénicie: la ‘tribune’ du sanctuaire d’Echmoun à Sidon,” *BCH* 100 (1976): 565.

55. C. M. Kraay, *Archaic and Classical Greek Coins* (1976), 286–92,

on p. 291. Cf. M. H. Crawford, *La moneta in Grecia e a Roma* (1982), 68–69, suggesting Persian influence on the pattern of minting in Tyre and Sidon.

56. *CIS* 1.1, no. 114; *Ins. Délos*, no. 50.

57. See W. A. P. Childs, “Lycian Relations with Persians and Greeks in the Fifth and Fourth Centuries Reexamined,” *Anat. Stud.* 31 (1981): 55.

58. *Syll.*³ 591; *I. K. Lampsakos* (1978), no. 4. Translated by Austin (n. 52), no. 155.

CHAPTER THREE

Hellenistic History in a Near Eastern Perspective: The Book of Daniel



The Background

As with so many aspects of Hellenistic history, it is best to begin with the words of Polybius: “I shall bring the whole narrative of events to a conclusion, narrating finally the expedition of Antiochus Epiphanes against Egypt, the war with Perseus and the abolition of the Macedonian monarchy.” Polybius is here developing his “second introduction,” in the first few chapters of book 3, in which he goes on to explain that, after all, he has changed his mind about the terminal date. It was not now to be, in modern terms, 168 B.C., but 146. For his secondary purpose would be to examine how the Romans had used the power that they had gained, and the new terminal point would be the destruction of Carthage and the disaster which happened in Greece in the same year: “the withdrawal of the Macedonians from their alliance with Rome and that of the Lacedaemonians from the Achaean League, and hereupon the beginning and end of the general calamity that overtook Greece.”¹

Artistically, it might be argued that it would have been better to keep to the original plan, to cover the period (221/0–168 B.C.) in which “in not quite fifty-three years all parts of the inhabited world [*oikoumenē*] fell under the single rule [*archē*] of the Romans.”² The period had been one of rapid evolution, and the theme had coherence and dramatic force. As Peter Derow showed some years ago, what Polybius meant by *archē* was not the formation of Roman provinces, but the developing capacity to defeat some peoples or rulers, and to give instructions to others.³ Both aspects of Roman domination are perfectly exemplified in book 29, which would have formed the original conclusion: the defeat of Perseus at the battle of Pydna, and the famous scene outside Alexandria when the Roman commander, Popilius Laenas, ordered the Seleucid king Antiochus IV Epiphanes to abandon the siege of the city and go home.⁴ Polybius could not of course know that, in historiographical terms, this moment had already acquired a significance even greater than it manifestly had as a historical event. For the author of Daniel had already made it the latest event to be recorded in the Hebrew Bible (11:30): “For the ships

of Chittim will come against him; therefore he will be disheartened and return.”

The connections and contrasts between Polybius and Daniel are far more profound, however, than this accidental conjunction. In Polybius’ conception of history, the Romans were seen as taking their place in a succession of world rulers: first the Persians, then the Spartans, then the Macedonians, and now the Romans (1, 2). Moreover, it was in his originally planned final book, 29, that Polybius included an extended quotation of the reflections of Demetrius of Phalerum, meditating on the destruction of the Persian Empire by Alexander:

For if you consider not countless years or many generations, but merely the last fifty years, you will read in them the cruelty of Fortune. I ask you, do you think that fifty years ago either the Persians and the Persian king or the Macedonians and the king of Macedon, if some god had foretold the future to them, would ever have believed that at the time when we live, the very name of the Persians would have perished utterly—the Persians who were masters of almost the whole world—and that the Macedonians, whose name was formerly almost unknown, would now be the lords of it all?⁵

The idea that the history of mere “events” was something superficial or insignificant would have amazed Demetrius and his contemporaries in the Greek world, just as it would have surprised later observers in the Near East who reflected on the devastating impact of Alexander’s conquests. One such was the author of 1 Maccabees, writing (almost certainly) some time towards the end of the second century B.C. His work opens as follows:

And it came to pass after the victory of Alexander the son of Philip the Macedonian, who came from the land of Chittim, that he smote Darius, king of the Persians and Medes, and ruled in his stead, beginning in Greece. He waged many wars and captured strongholds and slew (the) kings of the land. He pressed forward to the ends of the earth and took spoils from a multitude of peoples, and the earth was silent before him, and he was exalted and his heart filled with pride.⁶

We can assume that in Judaea itself Alexander’s passage, from Tyre down the coast to Egypt, will have made a corresponding impact. The only detailed narrative reflection of it from a Jewish perspective which we have, however, is a legend, or perhaps better a religious historical novella, which Josephus incorporated in book 11 of his *Antiquities*.⁷

We shall return briefly later to the significance of Josephus' use here of Daniel, which in fact had not yet been written at the time described in *Ant.* 11. It is more important to stress at this point that the still developing corpus of biblical works did incorporate a reasonably complete historical narrative, or series of narratives, relating the impact on the Jewish community of a succession of Near Eastern empires, going back through the Persian Empire of the Achaemenids to the Babylonian and Assyrian empires. To go no further back, the book of Kings contained a historical narrative from the end of King David's reign to the Babylonian Captivity. The two books of Chronicles retold the story from the time of Saul onwards, continuing to a rather brief account of the Captivity, and ending triumphantly with the victory of Cyrus over the Babylonian dynasty (539 B.C.) and the return from the Captivity:

In the first year of Cyrus king of Persia (KWRŠ MLK PRS)—to fulfil the word of Yahweh through Jeremiah—Yahweh roused the spirit of Cyrus king of Persia to issue a proclamation and to have it publicly displayed throughout his kingdom: "Cyrus king of Persia says this 'Yahweh, the God of Heaven, has given me all the kingdoms of the earth and has appointed me to build him a Temple in Jerusalem, which is in Judah. Whoever there is among you of all his people, may his God be with him! Let him go up.'"⁸

As is evident, Chronicles could not have been written as it stands before the Achaemenid period, and it is sometimes argued that it was written, or edited, as late as the early Hellenistic period. The same must apply to the books of Ezra (which begins with a slightly extended version of the same proclamation by Cyrus) and of Nehemiah, which between them relate, within a structure which is chronologically confused and not mutually related as between the two books, the restoration of the Temple and the re-establishment of Jewish worship and observances under the Achaemenids, thus taking the story to some (now indeterminable) point in the fifth century.⁹

An alternative version of the same story (but equally confused in its conception of the sequence of Persian kings) was constructed at some time in the Hellenistic period, using material found also in 2 Chronicles, Ezra, and Nehemiah, and provides a continuous narrative going from Josiah to Ezra. This is the important and highly puzzling text called 1 Esdras, which may have been composed originally in Hebrew or Aramaic, but certainly existed in Greek by the time of Josephus, who used it for his *Antiquities*.¹⁰

Its significance in this context is simply as another sign of awareness within Jewish culture of the national tradition as a historical narrative, and as one whose course had been dependent on the attitudes and actions of a succession of external rulers. Such an awareness was quite compatible with a lack of complete clarity as to which ruler had succeeded which, or even as to which empire had been which. It was this sometimes confused impression of a sequence of empires and rulers which provided the framework for a group of three religiously inspired historical novels, one of which, *Esther*, was to be incorporated in the Hebrew Bible, while *Tobit* and *Judith* appeared in the Christian Bible in Greek, which we refer to for convenience as the Septuagint.¹¹ (In consequence, all three appear in Roman Catholic Bibles, but only *Esther* in Protestant ones.) *Tobit* is set in the Assyrian Empire of the eighth to seventh century. The hero is introduced as one who “in the days of Shalmaneser king of the Assyrian empire was carried away captive out of Thisbe which is on the right hand of Kedesh Naphtali in Upper Galilee.” Thenceforward he lived in Nineveh, in the reigns of Shalmaneser (V), Sennacherib, and Esarhaddon (the sequence is historical, if incomplete, the respective dates being 726–722, 704–681, and 680–669 B.C.). The full text of *Tobit* survives only in Greek, but it is of crucial importance that fragments in Aramaic, with one in Hebrew, have been found in Qumran.¹² The work is thus almost certainly a Semitic-language composition of the early Hellenistic period.

Judith, by contrast, confuses the Assyrian and Babylonian empires: “It was in the twelfth year of Nebuchadnezzar who reigned over the Assyrians in the great city of Nineveh.” The historical Nebuchadnezzar was of course a Babylonian king (see below). There is no trace of the (probable) Semitic original of the Greek text of *Judith*; and only general arguments from the religious and nationalistic tone of the story of *Judith* and *Holofernes* might perhaps suggest that it *could* belong in the Maccabean period.¹³

As for *Esther*, if we ignore an inept introductory paragraph added to the Greek version, which confuses the Persian and Babylonian empires (as does indeed a reference to *Esther*’s father in 2:5–6), it is firmly set in the Persian Empire, in the reign of a king Ἡ ΣΩΡΩΣ (Ahasuerus-Artaxerxes), who ruled from Susa over an empire which stretched from India to Kush, and who had an army of Persians and Medes (Ἡ ΥΛ ΠΡΣ ΩΜΔΥ). The whole story of *Esther* is retold in detail by Josephus in the *Antiquities*, where it is set in the fifth

century.¹⁴ As a literary work, it was certainly in existence by the second century B.C. at the latest. A note at the end of the Greek version claims that one Dositheos had “brought” the letter concerning Purim (described in 9:20–22) in the fourth year of Ptolemy and Cleopatra, after it had been translated by Lysimachus, a Jerusalemite. If this reference is authentic, and not merely a piece of pseudo-historical colouring, the date referred to is 88/7 B.C. There are no known fragments from Qumran, making this the only book of the Hebrew Bible not represented there.¹⁵

The establishment of the feast of Purim thus was, or was made into, the central point of this vivid court narrative, and this feature is reflected clearly in 2 Maccabees, surely written in the second half of the second century B.C. This book ends with the defeat of the Seleucid general Nicanor in 161 B.C., and the decision to celebrate the “day of Nicanor” on the thirteenth of Adar, on the day before “the day of Mordechai”: “the thirteenth day of the twelfth month—it is called Adar in the Syrian language—one day before the day of Mordechai.”¹⁶ Purim was thus already established as a festival and was already associated with the story of Esther, Haman, and Mordechai. Esther is thus (perhaps) roughly contemporary with Daniel, or might be as much as a couple of centuries earlier. It shares with Daniel the use of history, and the deployment of an alien court as a stage for the demonstration of Jewish piety.

The Book of Daniel

These varied works, for all the problems of date, authorship, intention, and original language which they present, are enough to set the framework for Daniel, and to suggest the way in which the successive Near Eastern empires, and the relationship of the Jewish community to them, could be used in Jewish historical and semi-historical works of the late Achaemenid and earlier Hellenistic period, in ways which ranged from sequential narratives of events to colourful and improving historical novels.

As will be obvious, this paper will make no attempt even to indicate all the problems which surround Daniel: the question, for instance, of whether there had been earlier versions before the (indisputable) redaction of the canonical Hebrew and Aramaic text in the 160s B.C.; the meanings intended by the anonymous author to be attached to the symbols incorporated in the dreams and visions which it recounts; whether even after the 160s variant “Daniel” texts were in

circulation; the dates and origins of the two established Greek versions; and the interpretation of the text in the New Testament, in Josephus, by Christian commentators, such as Hippolytus and Jerome, or by Daniel's brilliant pagan commentator, Porphyry. All that is intended here is to set out the most elementary facts, and then to present an analysis of the structure of the text that will show just how detailed a use it makes of Near Eastern history from the sixth century up to the 160s B.C.

As for the date and context of the canonical Daniel as we have it, no serious commentator would now question Porphyry's demonstration that the work belongs in the 160s under Antiochus IV Epiphanes, and that up to and including that point the prophecies in it are pseudo-prophecies, relating and giving meaning to events which had already occurred. At the time when the author was completing the work, the imposition of the "abomination of desolation" in 167 had occurred, and the restoration of the Temple cult in 164 had not.¹⁷ The "reception" of Daniel is a topic which could take many volumes and is integral to early Christianity, in particular to the notion of Jesus as a "Son of Man" (see briefly text to n. 29 below). But it may be noted that stories which form part of "our" Daniel are alluded to in 1 Maccabees, which (as above) dates to the later second century B.C., or (less probably) to the early first. In the "testament of Mattathias" in 1 Macc. 2, recounting historical examples of pious Jews, there appear (2:59) Ananias, Azarias, and Misael saved from the furnace (cf. Daniel 3); and (2:60) Daniel saved from the lion (cf. Daniel 6). Similar allusions appear in 3 Maccabees (perhaps of the first century B.C.) and 4 Maccabees (probably of the first century A.D.).¹⁸

Much more important still is the fact that actual fragments of the canonical Daniel (as well as other Daniel-like prophetic fragments) are known from Qumran and would thus count among the textual attestations from the ancient world which are closest in time to the original composition.¹⁹ The earliest of the Daniel fragments from Qumran Cave IV covers sections of chapters 10–11, and is thought to date from the late second century B.C., thus only some half a century after the composition of these chapters. The fragments also confirm that the shift from Hebrew to Aramaic and back characteristic of the canonical Daniel (2:4b–7:28 is in Aramaic, the rest in Hebrew) was already present in the texts circulating in the late Hellenistic period. At some point which remains open to debate two different Greek translations were made, one of which came to be that which formed

part of Christian *codices* of the Bible and is therefore labelled as the Septuagint text—quite unhistorically, since the legendary account of the translation carried out by seventy-two elders under Ptolemy Philadelphus related only to the five books of Moses, and at that time (the third century B.C.) the canonical Daniel had not been written. The other is that ascribed to Theodotion, alleged to have worked in the second century A.D. But a text which was at any rate close to his is quoted by writers of the first century A.D. In particular, a “pre-Theodotion” version seems to lie behind some passages in the New Testament.²⁰ But it is futile to try to see the earliest history of the translation of Daniel into Greek in terms of specific and distinct “versions” represented in later manuscripts. For by far the most important known user of the Greek Daniel is Josephus, in book 10 of the *Antiquities*, written in Rome in the 80s A.D.²¹ His paraphrase of Daniel incorporates readings which are shared with either the “Septuagint” text or the “Theodotion” one, or with neither.²²

It is in fact not unlikely that Daniel had been translated into Greek, perhaps more than once, as early as the later Hellenistic period, as we know was the case with Esther (text to nn. 14–15 above) and with the Wisdom of Ben Sira (Ecclesiasticus).²³ But all we can be certain of is that it was in circulation in Hebrew and Aramaic by the end of the second century B.C. and in Greek also by the first century A.D.

Josephus, as we saw earlier in relation to Alexander’s legendary visit to Jerusalem (text to n. 7 above), accepted “Daniel” as a historical personage of the sixth century B.C. living under the Babylonian Captivity, and hence treated his dreams and visions as genuinely prophetic. He thus equally took the references in Daniel to Antiochus Epiphanes as prophetic, and also understood the prophetic element as including the Roman Empire. Whether Josephus interpreted Daniel as specifically foretelling the destruction of the Temple in A.D. 70 is, unfortunately, unclear, owing to a problem in the text. According to a possible reconstruction of his text, Josephus wrote as follows:

And there would arise from their number a certain king who would make war on the Jewish nation and their laws, deprive them of the form of government based on these laws, spoil the temple and prevent the sacrifices from being offered for three years. And these misfortunes our nation did in fact come to experience under Antiochus Epiphanes, just as Daniel many years before saw and wrote that they would happen. In the same manner Daniel also wrote about the

empire of the Romans and that [Jerusalem would be taken by them and] the temple would be laid waste.²⁴

Josephus' recognition that Daniel did indeed speak about Antiochus Epiphanes is however quite unambiguous, and he reverts to this point (which is not in his main source, 1 Maccabees) when he comes to relate Antiochus' desecration of the Temple in 167 B.C.: "Now the desecration of the temple came about in accordance with the prophecy of Daniel, which had been made four hundred and eight years before; for he had revealed that the Macedonians would destroy it."²⁵ He thus supplied nearly all the evidence for Porphyry's correct deduction that this prophecy was a pseudo-prophecy, but of course without drawing this conclusion himself.²⁶

Daniel: Narrative Structure

It was a pseudo-prophecy, however, and Daniel does preserve for us a unique representation, written in the mid-Hellenistic period, of how Jewish piety and religious knowledge had been deployed under a series of foreign empires, Babylonian, Persian, and Macedonian, over a period of four hundred years. The following tabulation makes no attempt to go into interpretative details, but is concerned to do two things: to make clear the literary structure of the work, which means primarily the relationship between "authorial voice" (first person and third person), narrative, and interpretation; and to set out summarily the real identities and dates of the rulers to whom the work refers.²⁷

It will be seen that in form and character the work divides into four distinct sections. In section (1), covering chapters 1–6, a series of narratives, in the third person, with no identified narrator, and designed to demonstrate the operation of Jewish piety, are interspersed with dreams and portents external to Daniel, which are then provided with interpretations by him. In section (2), covering chapters 7–10—or perhaps better chapters 7–8, with chapters 9–10 forming a sort of transition to (3)—Daniel himself has very detailed prophetic dreams, occasionally described in the third person (7:1; 10:1), but related by him in the first person, whose interpretation, in even greater detail, is supplied first by an anonymous figure to whom he turns (7:16), and then by Gabriel (8:17). Chapters 9–10 move on to prayers by Daniel and to exchanges between Gabriel and Daniel, both related by Daniel in the first person. Section (3) covers 11:1–34, and contains a continuous series of historical prophecies addressed to Daniel by an angelic being who is not specifically named (11:1: WTH

'MT 'GYD LK /

καὶ νῦν ἀλήθειαν ἀναγγελῶ

[Theodotion]—"and now I will declare to you the truth"). The literary structure of this section is quite different, in that there is no division between the material and its interpretation. The narrative, interspersed with interpretation and comment by the same speaker, covers nearly four centuries, from the beginning of the Achaemenid period to the middle of the reign of Antiochus Epiphanes.

Finally, there is section (4), covering 11:35 to the end of chapter 12, the only truly prophetic part of the whole work, which looks forward, in very significant style, to events which really had not yet occurred (and never did). In literary structure, however, this section is continuous with (3) and is also placed in the mouth of the same angelic being.

<i>Chapter</i>	<i>Narrative; dreams and visions</i>	<i>Interpretations</i>
1	Capture of Jerusalem by Nebuchadnezzar (II) of Babylon (604–562 B.C.). Daniel, Hananiah, Mishael, and Azariah selected for court service. They refuse royal rations. This continues to “first year of Cyrus” (539 B.C.).	
2	Year “2” of Nebuchadnezzar. His dream.	Daniel interprets dream: image of gold, silver, brass, iron; indicates four successive kingdoms, to be followed by eternal kingdom.
3	Nebuchadnezzar sets up golden image. Hananiah (Shedrach), Mishael (Meshach), and Azariah (Abednego) refuse to worship. Placed in furnace, saved. Nebuchadnezzar orders all to respect their God.	
4	Nebuchadnezzar’s dream of tree (related in first person). Nebuchadnezzar is expelled and then restored, and worships God (related in third, then first, person).	Daniel interprets: dream portends Nebuchadnezzar’s expulsion from kingdom, to live in fields.
5	Feast of Belshazzar, “son” of Nebuchadnezzar (= Bel-shar-uşur, ruling in Babylon as “royal prince” in the absence of his father, Nabonidus [555–539 B.C.]). Vessels from Temple used. Writing on the wall.	

Daniel interprets writing: kingdom to be given to Medes and Persians (MDY WPRS).

Belshazzar killed. Kingdom taken by "Darius the Mede" (in fact by Cyrus, 539 B.C.).

- 6 Darius forbids prayer to man or god, except himself. Daniel prays all the same. Thrown to lions, saved. Darius orders observance of Daniel's God. Daniel prospers in reign of Darius (I?) (522-486 B.C.) and Cyrus (539/30 B.C.).

Section (2)

- 7 Daniel's dream of four beasts; 4th beast with 10 horns, and 11th which destroys 3 of others. Day of judgment. Beast (4th?) slain. Reign of one "like a son of man" (KBR 'NŠ, 7:13).

Interpretation given to Daniel by unnamed person (7:16). Four kings/kingdoms. 10 kings of 4th kingdom. Persecution by 11th. Dominion to be given to "the people of the saints of the most high" ('MQDYŠY 'LYWNYN, 7:27).

- 8 Daniel's dream (in "year 3 of Belshazzar"). Ram, defeated by goat from west. His horn broken, and replaced by four horns. From one of them comes little horn, who magnifies himself, and destroys daily sacrifice (TMYD, 8:11) and sanctuary.

Interpretation given to Daniel, by Gabriel (named in 8:17): ram is king of Media and Persia (MDY WPRS); goat is king of Greece (MLK

YWN) (Alexander, 336–323 B.C.). Four kingdoms. Then persecuting king (Antiochus Epiphanes, 175–164 B.C.).

- 9 Daniel's vision (in year 1 of Darius "son of Ahasuerus" (DRYWS BN 'HŠWRWS) (522 B.C.? Or Darius II, 423–405 B.C.?); he understands Jeremiah's prediction of 70-year desolation of Jerusalem. Daniel's prayer. Gabriel appears to Daniel, predicts cessation of sacrifice and offering, and imposition of "abomination of desolation" (ŠQWSYM MŠMM / βδέλυγμα τῶν ἐρημώσεων, 9:27).
- 10 Year 3 of Cyrus king of Persia (KWRŠ MLK PRS) (537 B.C.?). Daniel's vision of angel (not named), and then of (different?) person "like a son of man" (KDMWT BNY 'DM, 10:16; cf. 7:13). Latter announces prophecy, "what is written in the book of truth" (BKTB 'MT, 10:21).

Section (3)

Chapter	Verse	Narrative
11	1–2	The same person (angel?) prophesies course of events from Darius "the Mede" (or Cyrus, as in LXX and "Theodotion"). Three more kings in Persia (LPRS). Fourth (Xerxes, 486–465 B.C.?) will attack "all the kingdom of Greece" (HKL 'T MLKWT YWN).
	3	Mighty king will arise (Alexander).
	4	Kingdom divided into four (early Hellenistic monarchies).
	5	Strength of "king of south" (MLK HNGB) (Ptolemy I, 306–285 B.C.).
	6	Marriage of daughter of "king of south" to "king of north" (MLK HŠPWN). Marriage breaks down. (Berenice, daughter of Ptolemy II Philadelphus, marries Antiochus II Theos, c. 252 B.C.)

- 7–8 Invasion by “king of south.” Spoils carried to Egypt (MSRYM). (Ptolemy III Euergetes, 247–222 B.C., and Third Syrian War, 246–241 B.C.; for spoils, cf. Adoulis inscription, 238 B.C., OGIS 54; Canopus decree, OGIS 56.)
- 11–12 Victory of “king of south” over “king of north.” (Ptolemy IV defeats Antiochus III at Raphia, 217 B.C.)
- 13–17 Conquests by “king of north.” (Conquest of Coele Syria and Palestine by Antiochus III, 202/1–200 B.C.)
- 17 Marriage alliance between kings. (Cleopatra, daughter of Antiochus III, marries Ptolemy V Epiphanes, 194/3 B.C.)
- 18 (King of north) turns to isles. Frustrated. ([?] Antiochus III, in Asia Minor, Greece, conflict with Rome, defeat at Magnesia, treaty of Apamea, 190–188 B.C.)
- 19 Return; death. (Death of Antiochus III in Elymais, 187 B.C.)
- 20 His successor, death of. (Seleucus IV Philopator, 187–175 B.C.)
- 21–34 “King of north” invades kingdom of south, returns, action against holy covenant. Second invasion, stopped by “ships of Kittim” (ŠYYM KTYM, 11, 30). Action against sanctuary, suppression of daily sacrifice (TMYD), imposition of the “abomination of desolation” (ŠQWŠ MŠMM / βδέλυγμα ἐρημώσεων). Resistance begins. [Antiochus IV Epiphanes, 175–164 B.C. Invasion of Egypt, 170/169 B.C. Second invasion, 168 B.C., stopped by Roman emissary, Popilius Laenas. Suppression of Temple cult, 167 B.C. Maccabean revolt begins.]

Section (4)

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|-------------|---|
| 35–45 | Prophecies of prospective last part of Antiochus’ reign. |
| 12 1–3 | Prophecy of appearance of angel Michael, delivery of Israel. Resurrection and Day of Judgement. |
| 4 | End of vision. |
| 5–13 | Daniel reports final vision and message. |
| 11 | From cessation of daily sacrifice (TMYD) and imposition of “abomination of desolation” (ŠQWŠ ŠMM / τὸ βδέλυγμα [τῆς] ἐρημώσεως) for 1,290 days. |
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Conclusion: Daniel and History

Many aspects of the text of Daniel, heavily loaded with often enigmatic symbols and with religious meaning, have an important place in the history of Judaism and Christianity. It is only necessary to note, firstly, the earliest unambiguous appearance in Jewish literature of the notions of a day of judgement and of the resurrection of the virtuous (12:2: “Of those who lie sleeping in the dust of the earth many will awake, some to everlasting life, some to shame and everlasting disgrace”).²⁸ Secondly, there is the (highly enigmatic) symbolism of the one “like a son of man” (KBR ’NŠ) seen “coming on

the clouds of heaven” (7:13–14), whose relevance to New Testament imagery is obvious.²⁹

My concern here is however only to stress, firstly, how closely integrated the various sections of Daniel are one with another, and to suggest how profoundly they are related to the Maccabean crisis. Cyrus is mentioned already in 1:21, and the Medes and Persians appear first in 5:28, while the Hellenistic monarchies and Antiochus Epiphanes are mentioned already in chapters 7–8. In chapter 9 we have the first of three appearances (9:27; 11:31; 12:11) of the suppression of the daily sacrifice in the Temple (TMYD), and the imposition of the “abomination of desolation.” Equally important, even the earlier part of the work is dominated by concerns over the personal observation of Judaism, concerns which it is tempting to interpret as reflecting the strains imposed by the persecution under Antiochus from 167 B.C. onwards, which was noteworthy for being directed not only at the Temple cult, but at the private observance of Judaism.³⁰ Hence there are references to the avoidance of unclean food (chapter 1); the worship of pagan gods (chapter 3); and the offering of prayers to deities, or supposed deities (chapter 6). In spite of the drastic successive shifts in “authorial voice,” literary form, and narrative structure which characterise this quite brief work, it may be suggested that in its conceptions and concerns it can be seen as a unity, and one which reflects the great crisis of the 160s.

For historians of the classical world, however, what is most distinctive and significant about Daniel is the representation, through the medium of narratives, dreams, and prophecies, of a succession of Near Eastern empires, in steadily increasing detail and accuracy, from the Neo-Babylonian Empire through Achaemenid Persia to Alexander, and then to the Seleucids and Ptolemies. Viewed literally, there are in these representations various mistakes, misidentifications, and transpositions. But, taken as a series, the picture presented by Daniel is indeed that which Momigliano argued should be seen as a borrowing from the Greek world, namely the notion of history as a succession of world empires.³¹ In terms of the subsequent history of the world the issues which were stirred up by Antiochus’ persecution and the Maccabean counter-revolution, and which gave rise to the composition of the book of Daniel as we have it, had a significance far greater than any other aspects of the Hellenistic period. For it was in the persecution of the 160s and the resistance to it that Jewish monotheism, its sacrificial cult, and the personal observances required

of its adherents faced and survived their greatest test. But even as regards ancient political history, and the representation in literature of the successive regimes which had claimed domination over the peoples of the Near East, Daniel can add a dimension, and the sense of a longer perspective, which even Polybius was not in a position to attach to those drastic swings of fortune which took place in 168 B.C., the year at which his great *History* had originally been intended to end. But, as history, Daniel's brief and allusive representations of selected episodes, taken largely out of context, and seen from a very precise and limited viewpoint, cannot of course compare with Polybius' profound conception of how events in different parts of the *oikoumenē* (inhabited world) had come to be interlinked, and to form a single causative sequence. For an understanding of Hellenistic history we will still depend on Polybius, and on his greatest modern interpreter.

Notes

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1. The “second introduction” occupies bk. 3, 1–5. The passages quoted, from the Loeb translation, are 3, 3, 7–8, and 3, 5, 6.

2. Polybius 1, 1.

3. P. Derow, “Polybius, Rome, and the East,” *JRS* 69 (1979): 1–15.

4. Polybius 29, 27.

5. Polybius 29, 21, 3–4, Loeb trans.

6. 1 Macc. 1:1. The sequence of tenses in this section is not clear, and the translation is hypothetical. For a basic discussion of 1 Macc., generally thought to be a Greek version of a Hebrew or Aramaic original, see Schürer, Vermes, and Millar, *History* III.1, 180–85. A relatively early date of writing, of around 130 B.C., is argued by S. Schwartz, “Israel and the Nations Roundabout: I Maccabees and the Hasmonean Expansion,” *Journ. Jew. Stud.* 42 (1991): 1–38.

7. Josephus, *Ant.* 11, 304–47; Loeb trans. of 8, 336. See, e.g., A. D. Momigliano, “Flavius Josephus and Alexander's Visit to Jerusalem,” *Athenaeum* 57 (1979): 442–48 = *Settimo contributo alla storia degli studi classici e del mondo antico* (1984), 319–29.

8. 2 Chron. 36:22–23, trans. *New Jerusalem Bible*.

9. See O. Eissfeldt, *The Old Testament* (1965), 529–30 (Chronicles); 541–42 (Ezra and Nehemiah); H. G. M. Williamson, *The New Century Bible Commentary: 1 and 2 Chronicles* (1982); and by the same author, *World Biblical Commentary XVI: Ezra, Nehemiah* (1985).

10. For a detailed survey of the problems, see Schürer, Vermes, and Millar, *History* III.2, 708–18.

11. See the fundamental article by M. Hengel, to which I am extremely indebted, “Die Septuaginta als ‘christliche Schriftensammlung’: Ihre Vorgeschichte und das Problem ihres Kanons,” in M. Hengel and A. M. Schwemer, eds., *Die Septuaginta zwischen Judentum und Christentum* (1994), 182–284.

12. For Tobit, see R. H. Charles, *Apocrypha and Pseudepigrapha of the Old Testament I* (1913), 174–75; P. Deselaers, *Das Buch Tobit* (1982); Schürer, Vermes, and Millar, *History* III.1, 222–23. For Qumran fragments 4Q196–200, see now J. A. Fitzmyer, *Qumran Cave 4, XIV: Parabiblical Texts*, part 2, DJD XIX (1995), 1–76.

13. See Charles (n. 12), 174–75; Eissfeldt, *The Old Testament*, 585–86; Schürer, Vermes, and Millar, *History* III.1, 216–17.

14. Josephus, *Ant.* 11, 184–296.

15. For Esther, see Eissfeldt, *The Old Testament*, 505–6, and 591–92 (the additions). For the additions, see also Schürer, Vermes, and Millar, *History* III.2, 718–19.

16. 2 Macc. 15:36.

17. For the essential treatments and bibliography, see R. H. Charles, *A Critical and Exegetical Commentary on the Book of Daniel* (1929); L. F. Hartman and A. A. De Lella, *The Book of Daniel*, *Anchor Bible* 23 (1978); Schürer, Vermes, and Millar, *History* III.1, 245–46; and now the massive commentary by J. J. Collins, *Daniel: A Commentary on the Book of Daniel* (1993). Note also E. Bickerman, *Four Strange Books of the Bible: Jonah, Daniel, Koheleth, Esther* (1987), and A. S. van der Woude, ed., *The Book of Daniel in the Light of New Findings* (1993). In this latter collection, note esp. M. Delcor, “L’histoire selon le livre de Daniel, notamment au chapitre 11,” 365–86, and C. C. Caragounis, “History and Supra-history: Daniel and the Four Empires,” 387–97.

18. 3 Macc. 6 (the prayer of Eleazar): section 6 (three companions in Babylonia saved from furnace); and 7 (Daniel saved from lion). See J. H. Charlesworth, *The Old Testament Pseudepigrapha II* (1985), 509.

Cf. 4 Macc. 13:9; 16:3; 16:21; 18:3. See E. Bickerman, "The Date of Fourth Maccabees," in *Studies in Jewish and Christian History I* (1976), 276ff., and Charlesworth, *The Old Testament Pseudepigrapha II*, 531–32.

19. See E. Ulrich, "Daniel Manuscripts from Qumran I," *BASOR* 268 (1987): 17–37; "II," *BASOR* 274 (1989): 3–26. Final publication by the same author in *Qumran Cave 4 XI*, DJD XVI (2000), 4Q112–4Q116 (= 4QDana–e); see also *Qumran Cave 1*, DJD I (1955), appendix, nos. 71–72 (= 1QDana–b), and *Les petites grottes de Qumran*, DJD III (1962), 114–16 (6Q7 = 6PapDan). Note in particular the Aramaic "son of God" fragment, discussed by G. Vermes in "Qumran Forum Miscellanea I," *Journ. Jew. Stud.* 43 (1992): 299–305, on 301–3; translated in G. Vermes, *The Dead Sea Scrolls in English*⁴ (1995), 331–32.

20. For these questions, which I do not attempt to go into further, see M. Harl, G. Dorival, and O. Munnich, *La Bible grecque des Septante* (1988), and the important article by M. Hengel, "Die Septuaginta" (n. 11). I was very grateful to Tessa Rajak for allowing me to see the text of her unpublished Grinfield Lecture on the Septuagint, Oxford University, 1996: "The Jewish Reception of the LXX in the First and Second Centuries A.D.: Some Thoughts on Josephus and LXX Daniel."

21. *Ant.* 10, 186–218; 11, 229–81. See G. Vermes, "Josephus' Treatment of the Book of Daniel," *Journ. Jew. Stud.* 47 (1991): 149–66, and S. Mason, "Josephus, Daniel and the Flavian House," in F. Parente and J. Sievers, eds., *Josephus and the History of the Greco-Roman Period* (1994), 161–91.

22. See J. Ziegler, ed., *Susanna, Daniel: Bel et Draco* (Göttingen Septuagint XVI.2, 1954), 22. As does Rahlfs in his standard edition, Ziegler prints both texts.

23. See the Wisdom of Ben Sira, prol. 27–30. The year is 132 B.C.

24. Josephus, *Ant.* 10, 275–76, Loeb trans. The words bracketed are supplied only from John Chrysostom, *Adv. Iudaeos* 5, 8 (Migne, *PG* XLVIII, col. 897). See R. Wilken, *John Chrysostom and the Jews* (1983), esp. 134–35.

25. *Ant.* 12, 322, Loeb trans.

26. Porphyry's argument is preserved in Jerome's *Commentary on Daniel*, *Corpus Christ. Lat.* LXXVA, 771; the relevant passage is reproduced and translated in Stern, *Greek and Latin Authors II*, no. 464A.

27. For these identifications, and the historical framework in

general, see Amélie Kuhrt, *The Ancient Near East, c. 3000–330 B.C.* I–II (1995). Volume II covers, among other things, the Neo-Assyrian Empire (chap. 9), Babylonia, ca. 900–539 (chap. 11), and the Achaemenid Empire (chap. 13).

28. See G. W. E. Nickelsburg, *Resurrection, Immortality and Eternal Life in Intertestamental Judaism* (1972); E. P. Sanders, *Judaism: Practice and Belief 63 B.C.E.–66 C.E.* (1992), 298–99.

29. See, e.g., M. Black, *An Aramaic Approach to Gospels and Acts*³ (1967), app. E (G. Vermes); G. Vermes, *Jesus the Jew* (1973), 160–61; Schürer, Vermes, and Millar, *History* II, 488–89; C. Rowland, *The Open Heaven: A Study of Apocalyptic in Judaism and Early Christianity* (1982); J. Ashton, *Understanding the Fourth Gospel* (1991), 337–38.

30. For my view of this, see “The Background to the Maccabean Revolution: Reflections on Martin Hengel’s ‘Judaism and Hellenism,’” *Journ. Jew. Stud.* 29 (1978): 1–21 (= chapter 4 of the present volume).

31. See A. D. Momigliano, “The Origins of Universal History,” *Ann. Sc. N. Sup. Pisa*, ser. 3, 12.2 (1982): 533–60 = *On Pagans, Jews and Christians* (1987), 31–57.

CHAPTER FOUR

The Background to the Maccabean Revolution: Reflections on Martin Hengel's "Judaism and Hellenism"



Introduction

The truism that important events are understood best when considered at some distance in time may serve as an excuse for surveying only so belatedly the vast contribution to Jewish and Hellenistic history made by Hengel's major work, first published in German in 1969, revised and enlarged in 1973, and issued in an English translation in 1974.¹ If some alternative perspectives are suggested in what follows, and some doubts expressed about the central concept of a Hellenistic reform movement on the part of a group within the Jewish community, that implies no lack of admiration or gratitude for what is, along with P. M. Fraser's *Ptolemaic Alexandria* (1972), the most important contribution to the history of the Hellenistic world since M. I. Rostovtzeff's *Social and Economic History* (1941). More specifically, as a study of the interaction of Judaism and Hellenism, it has been rivalled in recent years only by the great work of Menahem Stern, *Greek and Latin Authors on Jews and Judaism I–III* (1974–84),² and by the penetrating essay of A. D. Momigliano in chapters 4–5 of *Alien Wisdom* (1975). In looking back on Hengel, it will be possible to take this and other subsequent work into account; but the important task is to try to sum up Hengel's achievement, and to ask from what different perspectives we might approach the events of the 160s—which on any view were fundamental to the future of Judaism, and hence of Christianity and Islam. If there ever was an identifiable “turning point in history” it was the years 167 to 164 B.C. in Palestine.

Hengel's Interpretation

It is the essential characteristic of Hengel's approach that, in spite of the immense historical learning and real historical understanding employed in it, his thesis is that of a Christian theologian: that the early Hellenistic period saw a significant process of mutual

assimilation and comprehension between Judaism and paganism, which was brought to a halt by the nationalistic reaction under the Maccabees, and was only resumed and brought to fruition in the preaching of Christianity to gentiles. To arrive at this conclusion Hengel starts (6–106) with a survey of Hellenistic political, administrative, economic, and cultural influences in Palestine which represents one of the best studies of any region of the Hellenistic world. It would not be possible to point to any general survey of a similar quality for Anatolia, Syria proper, Babylonia, or Egypt. The conclusion (103–6) is that Palestinian Judaism was as much a “Hellenistic” Judaism as that of the diaspora.

From there Hengel moves to Greek influence on the Jewish literature and philosophy of the Hellenistic period, and to movements within Judaism which he takes as being in reaction to this, the growth of hasidism and apocalyptic and the emergence of Essenism—which itself, in his view, had Hellenistic features. The final section, on the Hellenistic re-interpretation of Judaism and the reform attempt, begins, perhaps surprisingly, with literary evidence for Greek views, starting with Hecataeus of Abdera, of the Jews as a species of philosophers; it then moves to the (very slight) evidence for *Jewish* identifications of the Jewish God with the supreme God (Zeus or Dis) worshipped by the pagans; indeed the evidence from the Hellenistic period is confined precisely to two *Alexandrian* writers, Aristobulus and the author of the *Letter of Aristeas*. Finally, Hengel comes to a sketch of the reform movement of 175–164 itself and an attempt, following E. Bickermann, *Der Gott der Makkabäer* (1937), to identify the ideology of the reforms and the nature of the cult briefly established in the Temple. It is the fact, which Hengel of course clearly admits (303), that we cannot securely establish the nature of this cult which is the fundamental weakness of the book’s main thesis. For we do *not* know, though we may wish to argue, that it was in any sense syncretistic. The evidence is perfectly compatible with the possibility that it was quite simply a pagan cult.

We may postpone this question in order to look first at some other aspects of this complex series of events. Firstly, Hengel considers only briefly (294–97) the parallels afforded by other Semitic deities and their identification with Greek gods. More significantly, he does not consider Hellenistic influences on the Jews as part of the much wider, and in many respects obscure and mysterious, process of the fusion of cultures in the whole south Syrian region. But it would only be if we

could understand their immediate neighbours, the Phoenicians, Samaritans, Idumaeans, Nabataeans, and the (presumably) Aramaic-speaking peoples of Transjordan and southern Syria that we could begin to ask how distinctive the Jews were, and what if any type of fusion with Hellenism could have been expected of them. Though the book of course contains references to the cultures of these peoples, they do not serve to provide a perspective for it. In the next section an attempt will be made to sketch some possible contributions of this perspective.

An incomparably more glaring omission is that Hengel does not attempt to portray the ordinary, day-to-day Judaism and its practises which the reforms set out to transform or abolish: “his book really deals with the Hellenization of an unknown entity.”³ Momigliano’s phrase justly characterises the book (and also Hengel’s *Juden, Griechen und Barbaren*), but not the state of our knowledge. The subsequent section (“The Jewish Community in the Early Hellenistic Period”) will sum up briefly some aspects of the structure and nature of the Jewish community in the early Hellenistic period. Even a slight sketch will show how un-Hellenistic it was and remained, in political institutions, in observances, and in its culture and literary products.

One fact on which some suggestions will need to be made is the relation of the Ptolemaic and Seleucid kings to the high priesthood. Here too it is a weakness of Hengel’s book that, again following Bickermann, he accepts with only cursory discussion (283–87) the unimportance of the role of Antiochus IV Epiphanes. But even if (as is beyond question) the initiatives taken by the Hellenisers were of fundamental importance, it remains the case that the interruption of the Temple cult and the prohibition of Jewish observances were enforced by royal orders and carried out by royal employees. We cannot avoid returning (“Antiochus Epiphanes and Judaism,” below) to the question of whether Antiochus had a “policy” of his own, and if so why and to what end.

But the central question remains (last section but one): what was the nature of the cult or cults observed in the Temple between 167 and 164 B.C.? We can understand (more or less) the nature of the faith which triumphed in the Maccabean revolution. If we do not understand exactly what was the nature of the cult which was supposed to replace it, it would be better to say so, and not to build vast historical interpretations on hypotheses as to matters of fact.

Greek and Native Cultures in the Syrian Region

As mentioned above, only new evidence could improve Hengel's portrayal of Hellenism in Judaea itself. One such item is indeed the bilingual ostrakon from Khirbet el-Kôm, between Hebron and Lachish, with brief Aramaic and Greek texts acknowledging a loan.⁴ This third-century B.C. text (probably of 277 B.C.) is notable as the earliest Greek document from Palestine, as attesting the loan-word *QPYLS*, from the Greek *kapelos*, a trader, and as a perfect exemplification of the commercial influences which Hengel emphasises.

But for a fuller understanding of the phenomena of Hellenism in Palestine we need a wider perspective. Firstly, it is noticeable that on the fringes of the Syrian region, in Nabataea and Palmyra, flourishing mixed cultures could grow up in the late Hellenistic and early Roman periods, employing both Greek and dialects of Aramaic in their public documents, exhibiting exotic and magnificent variants of Greek architecture, and observing cults in which Greek elements intermingled with indigenous ones.⁵ In Syria proper, notably at Hierapolis/Bambyce and at Heliopolis/Baalbek, it is notorious that there survived within Greek cities temples and cults which both were, and were perceived at the time to be, entirely non-Greek in origin and character. The obvious instance is Lucian's description in *On the Syrian Goddess* of the cult of Atargatis/Hera at Hierapolis, with references to that of Melqart/Hercules at Tyre and to cults at Heliopolis (which he thought to be of Egyptian origin), Byblos, and Apheca. Similarly, when Herodian comes to describe the coup d'état which brought to the imperial power in A.D. 218 a great-nephew of Septimius Severus through his Syrian wife Julia Domna, he gives a perfect description of a non-Greek cult as preserved at Emesa and integrated in the life of Greek Syria:

Both boys (the pretender and his cousin) were dedicated to the service of the sun god whom the local inhabitants worship under its Phoenician name of Elagabalus. There was a huge temple built there, richly ornamented with gold and silver and valuable stones. The cult extended not just to the local inhabitants either. Satraps of all the adjacent territories and barbarian princes tried to outdo each other in sending costly dedications to the god every year. *There was no actual man-made statue of the god, the sort Greeks and Romans put up*; but there was an enormous stone, rounded at the base and coming to a point at the top, conical in shape and black. This stone is worshipped as if it were sent from heaven; on it there are some small projecting pieces

and markings that are pointed out, which the people would like to believe are a rough picture of the sun, because this is how they see them. Bassianus, the elder of the two boys, was a priest of this god. . . . He used to appear in public in barbarian clothes, wearing a long-sleeved “chiton” that hung to his feet and was gold and purple. His legs from the waist down to the tips of his toes were completely covered similarly with garments ornamented with gold and purple. On his head he wore a crown of precious stones glowing with different colours.⁶

We could not ask for a better model of how the high priest of an aniconic cult in the city of Jerusalem might have appeared to a Greek observer if the hypothetical transformation had taken place, and the cult preserved in its ancestral form but integrated into that of a Supreme God compatible with the pantheon of Graeco-Roman paganism. The fact that (rightly or wrongly) Herodian perceived the cult in the inland city of Emesa as “Phoenician” is also significant, for two main reasons. Firstly, the Phoenician cities are the clearest examples of pre-Greek cities which retained their traditions and identities while also becoming integrated in the Hellenistic and Roman world.⁷ Phoenician inscriptions continue until the reign of Augustus, Phoenician lettering on the coins of Tyre until towards the end of the second century A.D. Without our entering here on the complex problems involved, it is enough to say that Philon of Byblos at the beginning of the second century A.D. claimed to have translated the work of an ancient Phoenician, Sanchuniathon, on the Phoenician cults, and that his translation was used by Porphyry of Tyre in the third century and then by Eusebius of Caesarea. Not only, therefore, was there a continuity of cults, with much assimilation to Greek deities, but also (however slight) a continuous literary tradition.⁸ Moreover Eusebius, perhaps quoting Porphyry, can confirm the accuracy of the literary tradition by reference to still-existing cult practices: the testimony of the ancient *theologi* drew confirmation “from the nomenclature of the gods still applied to this day in the cities and villages in Phoenicia and the interpretation given to the mysteries celebrated among each people.”⁹

Secondly, not only did these now Graeco-Phoenician cities continue to exercise, as they always had, a cultural influence on Judaea (most aptly symbolised by the exclusive use of Tyrian shekels for the Temple dues), but communities inland in the immediate neighbourhood of Judaea tended to identify themselves as Phoenician, or rather

“Sidonian.” The best documented case, well discussed by Hengel (43, 62) is that of the community which in the second century B.C. described themselves, in Greek, as “the Sidonians in Marisa,” in Idumaea. The second instance presents crucial difficulties, all the more so because, as we shall see, it is the cornerstone of the entire interpretation of the “reform movement” as understood by Bickermann and Hengel.

2 Maccabees 6:1–2 tells us that Antiochus sent an emissary to profane the Temple of Jerusalem and dedicate it to Zeus Olympius, and that of Mount Gerizim to Zeus Xenius, “as those who dwelt in the place requested.” Josephus, who did not use 2 Maccabees, appears to present us with the petition itself,¹⁰ in which they claim to be Sidonians, unrelated to the Jews, and ask for their temple to be known as that of Zeus Hellenius; and also with the king’s instruction to his agent, referring to them as “the Sidonians in Shechem.” All would be well if we could, with Momigliano, be confident that this and the book of Daniel represent the “only two certain pieces of contemporary evidence for the religious situation of the persecution period.”¹¹ That may indeed be so. But we have to reckon with the fact that the only source for the document is not itself contemporary. Furthermore, Josephus quotes it explicitly as evidence for a thesis which he has put forward earlier,¹² that the Samaritans claimed or denied relationship to the Jews according to the advantages of the moment. Thirdly, there is no other evidence recording either a reversion of the Samaritan Temple to its original cult after the end of persecution or its continuance as a temple of Zeus Xenius or Hellenius until its destruction by John Hyrcanus.

A substantial doubt must therefore remain. But 2 Maccabees at least attests the fact of a petition for the transformation of the cult on Mount Gerizim; and we have the independent evidence of Pseudo-Eupolemus, perhaps writing in the second century B.C., who explains “Argarizin” as “mountain of (the) Highest” (*hypsistos*):¹³ “Zeus Hypsistos,” being, as is well known, a possible way of referring to the Jewish God in the Graeco-Roman period. We still cannot be certain of course what Pseudo-Eupolemus himself implied by this, or whether his view was shared by those who worshipped there. However, we have a considerable body of evidence, admittedly from varying regions of Syria and varying dates, which clearly shows that indigenous cults could be preserved and integrated with their now Hellenised environment without losing their identity or continuity.

What is more, a study of the Semitic cults of the Syrian region, and in particular of private dedications, whether in Greek or in dialects of Aramaic, argues that the evidence reflects a growth of the conception of a single supreme god, addressed in various names.¹⁴ If this evidence will require further consideration, it is still clear that, *if* the cult in Jerusalem were sufficiently similar to the native cults persisting elsewhere in the Syrian region, it might have undergone a comparable assimilation provided that the social and cultural conditions for this were also present. Whether they were present is a question which can only be answered by looking at the structure of the Jewish community in the period preceding the “reform” and revolution.

The Jewish Community in the Early Hellenistic Period

The Persian period, and the reforms of Ezra and Nehemiah, had left the Jews as a small tightly knit community centred on the Temple, occupying a restricted area round Jerusalem and in uneasy relations with their Samaritan neighbours.¹⁵ The descendants of the House of David disappear in this period, leaving the political direction of the community in the hands of the high priests, the succession of whom can now, thanks to the Samaria papyri, be more confidently reconstructed.¹⁶ In addition to the high priest there was also a local Persian governor (*pe ḥ ah*).

No historically valid account survives of the absorption of the Jewish community into the empire of Alexander and his successors. In default of any other satisfactory context, therefore, the well-known series of Yehud coins, one of them bearing the name “Ye ḥ ez k̄ iyo,” has been considered as belonging to the late Persian period, as has been one with a longer inscription, “Ye ḥ ez k̄ iyo ha-pe ḥ ah.”¹⁷ But now there has been published a series of coins with the legend “Yehudah,” in a script similar to the latter and showing the portrait of Ptolemy I.¹⁸ Since Ptolemy did not mint coins with his portrait until 305 B.C., the coin must relate to the period after 301 when he finally regained control of Palestine. The coins therefore tend to suggest a continuity of Judaea as a political unit into the Ptolemaic period. More than that, however, as Kindler saw, they raise once again the question of the “Hezekiah, High Priest of the Jews,” whom Hecataeus of Abdera mentions as in office at the time of Ptolemy’s earlier possession of Palestine, after the battle of Gaza in 312 B.C.¹⁹ According to Hecataeus, this man was among a number of Jews who, impressed by Ptolemy’s mildness and moderation, accompanied him

to Egypt after the battle (the Greek does not imply that he emigrated permanently to Egypt). More important, Josephus quotes from Hecataeus the following sentence: "This man, having gained this honour and become our companion, summoning some of those with him read to them the whole scroll, which contained a written description of their settlement and constitution."²⁰

What was the "honour" (*timē*) which Hezekiah had received (from Ptolemy?)? We must remember that at some point after

Alexander's conquest the governor (*peh ah*) of the Persian period disappears, leaving the high priest as the political head of the community. The corollary of that, however, was that in the Seleucid period (from 200 B.C.), or at least by the beginning of Antiochus Epiphanes' reign (from 175 B.C.), the high priest was appointed by the king.²¹ Is it possible therefore that the "honour" was indeed the high priesthood, and that it had been taken into the king's gift as early as the beginning of the Ptolemaic period, in compensation for the abandonment of the appointment of a separate governor? That would readily explain why different sources refer to this Hezekiah as high priest and as governor; and the dual function may be reflected in what Joseph the Tobiad is reputed as saying to Onias in a scene which seems clearly to belong to the Ptolemaic period, more precisely to the reign of Ptolemy III Euergetes (246–221 B.C.), though misplaced in Josephus' narrative. Joseph reproaches Onias (on this view Onias II) for withholding tribute due to the king, "on account of which," Joseph said, "he had received the chief magistracy [*prostasia*] and had obtained the high priestly office."²² It would not have been impossible

that *peh ah* could have remained in use to denote the secular functions now assumed by the high priest. Ptolemy himself, before his assumption of the royal title, is referred to by the Persian title "satrap" in a Greek document of 310 B.C. from Egypt (*P. Eleph.* 1).²³

If these were the circumstances, then it would not have been surprising if there had not been unanimity as to who had been the legitimate high priest at any one time, and hence that Hezekiah did not achieve a mention in the list of high priests in Josephus. Hecataeus' evidence is further valuable for providing the view-point on the Jewish community of a sympathetic and curious gentile observer at the beginning of the Hellenistic period. He emphasises above all the rigorous observance of the Law, the privileges of the priests (1,500 in number), the hostility to pagan cults, and the centrality and importance of Jerusalem and the Temple. In another

passage, transmitted by Diodorus, he emphasises the absence of a cult image, the leading role of the priests, the absence of a king (believing that there had never been one), and the importance of the high priest.²⁴ If Hecataeus also imported a number of idealising Greek notions into his portrait of Jewish society, it is none the less important to stress the extent to which he saw it as a community whose structure and conventions were fundamentally non-Greek. We lack a similarly informed witness from the end of the third century (though Agatharchides in the second, looking back to Ptolemy I's conquest of Judaea, gives a quite detailed description of the observance of the Sabbath).²⁵ But in any case the distinctive features of Jewish society are clearly documented in the "Seleucid charter of Jerusalem," Antiochus III's letter to an official called Ptolemaios, laying down Jewish privileges, granted as a reward for their favourable reception of him when he took Palestine from the Ptolemies in 200 B.C. After listing provisions for sacrifice and materials for building work on the Temple, he continues, "And all the members of the nation shall have a form of government in accordance with the laws of their country, and the senate [*gerousia*], the priests, the scribes of the temple and the temple singers [Levites] shall be relieved of the poll tax." A subsequent proclamation gave royal backing to the prohibition on entry to the Temple for gentiles and unclean Jews, and forbade the import into Jerusalem of the meat or skins of animals declared unclean by the dietary laws.²⁶

The work of Ben Sira, written some time in the high priesthood of Simon II (late third or early second century B.C.), is notable as an original work composed in Hebrew, as emphasising two distinctive features of contemporary Jewish society, the class of hereditary priests and the scribes, and as reflecting (esp. chaps. 44–50) a deep sense of continuity with the past.²⁷ Very similar characteristics mark the book of Daniel, which indisputably reached its final form in the mid-160s. The documents from Qumran show that these were not isolated features. Without going into details beyond the competence of the author, it will be enough to emphasise that the Qumran texts include parts of every old Testament book except Esther, and a substantial range of original works related to biblical themes and written in this period is in either Hebrew or Aramaic.²⁸ For instance, no reader of the fascinating fragments edited by J. T. Milik²⁹ will be readily disposed to assent without severe qualification to the proposition that Palestinian Judaism was as Hellenistic as that of the diaspora. On the contrary, what we should emphasise is the uniqueness of the

phenomenon of an original and varied non-Greek literary activity developing in a small area only a few miles from the Mediterranean coast. The preservation of a native culture in Egypt or in distant Babylonia is by no means so surprising a phenomenon.

What is more, it is precisely the nature of the first phase of the Hellenising movement after 175 B.C., instituted beyond question by elements within the Jewish community, which shows how *un*-Greek Jerusalem had remained up to that moment. It is important to emphasise the earliest phase of the Hellenising movement—that which preceded the robbery of the Temple treasures and the forcible persecution of Judaism—because it is here that we have the clearest evidence of initiatives from within the community; because it shows the relation of the Seleucid king to the high priesthood; and precisely because it shows the *novelty* of Hellenistic ways of life in the Jerusalem of the 170s. 1 Macc. 1:11–15 (followed by Josephus, *Ant.* 12, 240–41) preserves only the overall ideology of “making a covenant with the peoples round about,” and the details of the establishment of a gymnasium and concealment of circumcision. For a fuller conception we have to turn to 2 Maccabees, the subject of an excellent German translation and commentary by Chr. Habicht (the first time, it should be noted, that this major product of Hellenistic historiography has been studied in detail by an expert in Hellenistic history and epigraphy).³⁰ It is worth looking again at the much-quoted passage of 2 Macc. 4:7–14 which describes the events following the death of Seleucus IV Philopator in 175 B.C.:

But when Seleucus departed this life and the kingdom was taken by Antiochus, called Epiphanes, Jason the brother of Onias, usurped the high priesthood by illegitimate means, promising the king in a petition 360 talents of silver, and 80 talents of other revenue. He undertook beyond this to pay a further 150 talents if he were granted permission to establish by his own authority a gymnasium and a corps of ephebes and to enrol those in Jerusalem as “Antiochenes.”³¹ When the king agreed, and he gained the office, he immediately set about converting his fellow countrymen to the Greek way of life. Abolishing the existing royal privileges gained by Iohannes, the father of the Eupolemus who (later) undertook an embassy to Rome for friendship and alliance—and the legitimate institutions, he brought in illegal customs. For he saw fit to establish a gymnasium below the acropolis and lead there the most athletic of the ephebes wearing sunhats. There was such a flowering of Hellenism and advance of gentile customs through the

overwhelming wickedness of the impious Jason, no true high priest, that the priests were no longer conscientious over the duties concerned with the sacrifice, but, despising the Temple and neglecting the sacrifices, they hastened to take part in the unlawful exercises in the palaestra as soon as the sound of the discus summoned them.

It is noticeable in this account that the events depended on the right of the king to dispose of the high priesthood; that the services of the Temple continued, if neglected to some degree; that there had been no previous gymnasium in Jerusalem; and that even the wearing of the Greek sunhat (*petasos*) was regarded as an outrageous novelty. The testimony of 1 Maccabees and Josephus (above) would also confirm that the Hellenisers and their followers had all been circumcised, a step which they attempted to reverse.

None the less, there is no sign at this stage of any change in Temple ritual, of any enforcement by Seleucid officials or of any popular resistance. These further steps came when the possibility of acquiring the high priesthood from Antiochus had led to the replacement of Jason by Menelaus (2 Macc. 4:23–25). It is important to emphasise that this is a new phase. There is no evidence to connect Menelaus with the Hellenising movement described above, except that his opportunity to gain office from Antiochus came when he was sent to take money to him from Jason (4:23). In his time as high priest, if we may follow the only detailed narrative (2 Macc. 4:26–5:27), there was oppression in Jerusalem by him, civil war between his party and that of the deposed Jason, culminating during Antiochus IV Epiphanes' invasion of Egypt in 169 B.C.,³² and finally (169/8) the entry of the king and his forces into Jerusalem, a massacre of the inhabitants, entry into the Holy of Holies by the king, and robbery of the Temple treasures. When the king departed, he left an overseer (*epistates*) in Jerusalem and another over the Samaritans at Mount Gerizim (2 Macc. 5:22–23).

Drastic and violent changes thus intervened between the Hellenising movement initiated by Jason, and the desecration of the Temple and forcible persecution of Judaism which followed under his rival and successor, Menelaus, in 167–164 B.C. In between came Antiochus' invasion of Egypt in 168, stopped outside Alexandria by the famous Roman mission led by Popillius Laenas. It may not be irrelevant in the context to note that truly remarkable evidence, in the form of demotic dream texts from Egypt, supports the testimony of Porphyry and Jerome on Daniel, and of a Greek papyrus, that in this

phase Antiochus was claiming the kingship of Egypt, was crowned at Memphis, and acted as king in Upper Egypt.³³

For the author of Daniel (11:30) clearly saw some connection between the rebuff of Antiochus by the “ships of Kittim” and the persecution which followed. What Antiochus’ motives may have been will be discussed in the next section, and what cult was established in the Temple in the last one. What is relevant at this stage is to emphasise, firstly, that the Temple cult had continued apparently unaffected through the phase of Hellenism and the depredations of Antiochus in 169/8; and secondly, and more important, the extent of the Jewish observances which the persecution attempted to eradicate. To say this is not to deny the truth of Hengel’s demonstration (289–90) that many Jews apostatised, went over to the Greek side, and aided the persecution; as Hengel shows, it was largely at them that the Maccabean movement was aimed. None the less, the persecuting measures were directed against the keeping of the Sabbath and festivals, the offering of the traditional sacrifices in the Temple, circumcision, and possession of the Torah (1 Macc. 1:41–64; 2 Macc. 6:1–31; Josephus, *Ant.* 12, 251–56). The narratives also presuppose observance of the dietary laws, at least in respect of pork.

Whether any Jews played an active role in initiating *this* phase of the conflict (as opposed to the Hellenising movement under Jason) is a question to which we shall have to return. What is clear on the one hand is that the persecution involved something much wider than the transformation or substitution of a cult in the Temple; the Maccabean resistance arose in response to attempts to change by force the private observances of the populace. It is precisely the evidence for these observances, and of the resistance to abandoning them which, along with that previously mentioned, indicating the continuity of the Jewish community from the post-Exilic period, shows how misleading it is to take some Hellenistic influences on the literary or philosophical products of Judaism and deduce from them that Judaism itself had become “Hellenistic.” Though it is possible to find parallels, in Syria and Egypt, for circumcision³⁴ and the avoidance of pork,³⁵ the existence of a complex set of observances binding (in principle) on the whole population has no parallel; nor do we yet know of any other Near Eastern people speaking a Semitic language who in the Hellenistic period generated a whole range of works in different genres in their own language (or languages, Hebrew and Aramaic). Finally, if slight traces reveal (text to n. 7 above) that the Phoenicians

still possessed a historical tradition of their own, nothing parallels the existence of a sacred book which was at the same time a national history, and which, as Ben Sira, Maccabees, and the Qumran documents all show, was in active circulation among the people and was the primary agent in forming their consciousness.

The proclamation of Antiochus III had explicitly recognised both the distinctive socio-political status and the distinctive observances of the Jewish people. Have we enough evidence to say whether the events under Antiochus IV were the product of a new policy or conviction, and if so why and to what end?

Antiochus Epiphanes and Judaism

It is a striking feature of modern historiography that there should be so strong a tendency to look to sources other than the reigning Seleucid king himself for the explanation of a persecution carried out by royal command and by royal agents.³⁶ The presumption that changes should be seen in terms of the wider structures and ideologies of society is not easily reconciled with the fact of monarchy. Yet both pagan and Jewish sources reflect the view that Antiochus did intend some overall change in Jewish observance. Diodorus, in retailing the siege of Jerusalem by Antiochus VII Sidetes, used a story which represented the king's advisers as reminding him of how Epiphanes had entered the Holy of Holies and found an image which he supposed to be that of Moses, who had created the misanthropic customs of the Jews:

And since Epiphanes was shocked by such hatred directed against all mankind, he had set himself to break down their traditional practices. Accordingly, he sacrificed before the image of the founder and the open-air altar of the god a great sow, and poured its blood over them. Then, having prepared its flesh, he ordered that their holy books, containing the xenophobic laws, should be sprinkled with the broth of the meat; that the lamp, which they call undying and which burns continually in the temple, should be extinguished; and that the high priest and the rest of the Jews should be compelled to partake of the meat.³⁷

Sidetes, however, was not moved but made peace with the Jews. What concerns us, however, is that the story, for all its mythical elements, embodies the conception, followed later by Tacitus, *Hist.* 5, 8, on the part of a pagan author, that Antiochus had been seized by the conviction that Jewish observances were undesirable and should be

abolished. It should be noted, however, that there is no hint from this pagan source of “syncretism.” What was involved in the view of Diodorus was abolition.

Now it is a notorious (and true) commonplace that ancient states, though they controlled (and might therefore reject, or attempt to reject) the importation of foreign cults, fundamentally respected the existing gods and cults of different localities. The Ptolemies for instance, regulated and controlled the revenues of Egyptian temples. But there was no question of their attempting to abolish them and institute Greek gods and temples. In Syria, as we saw earlier, non-Greek temples and cults survived the Seleucid period and were famous and frequented under the Roman Empire. In Babylonia cuneiform documents associated with the major temples persist through the Seleucid period; a particularly relevant one shows Antiochus I Soter (280–262/1 B.C.) proclaiming his restoration of the temples of Esagila and Ezida.³⁸ The only hint of a different attitude comes in an illustration given by Pausanias of the justice and piety of Seleucus I (312–281 B.C.); “when he founded Seleucia on the river Tigris, and brought Babylonian colonists to it, he left standing both the walls of Babylon and the sanctuary of Bel, and allowed the Chaldaeans to dwell round the sanctuary as before.”³⁹ The passage contains just a suggestion of presumptions which might have been relevant when a city called “Antiochia” was established in place of Jerusalem. But in fact Seleucus had permitted the continuation of the local cult; and in Jerusalem not only had Antiochus III given privileges which specifically reflected the Temple cult, and the structure of the society related to it, but (according to 2 Macc. 3:3) Seleucus IV Philopator (187–175 B.C.) had paid for the sacrifices out of his own funds.

What happened under Antiochus Epiphanes was therefore both an exception to an undeniable general pattern and a break with the established relations between the Seleucid kings and Jerusalem. Nor is there any obvious explanation for it in the patterns of Antiochus’ behaviour towards the wider Greek world: his generosity to cities and temples show nothing more than the display which was essential to the role-playing of any ambitious Hellenistic monarch; and the evidence for his foundation of new Greek cities is less than has been supposed.⁴⁰ But two innovations on the part of Antiochus are undeniable: he was the first Seleucid king to use the title “god manifest” (*Theos Epiphanēs*) documented on coins and an inscription; and he moved away from his dynasty’s traditional devotion to Apollo

to a particular reverence for Olympian Zeus, whose image replaced that of Apollo on the coins of Antioch. He also built, or contributed to, temples of Olympian Zeus elsewhere, as in Athens and Priene. Both phenomena are connected by Bunge with his difficulties in establishing his regime after his usurpation in 175.⁴¹ The notion that Antiochus identified *himself* as Zeus is now universally rejected. But it is significant that the mint of Antioch, followed by many others, portrayed him with a radiate head which was the recognised symbol of the sun god (*Helios*).⁴² As always, it is a matter of speculation what effect if any such changes in the iconography of a ruler had on the attitudes of his subjects. Daniel, however, does allude, in obscure terms (11:36–39), to some changes in religious observance by Antiochus.

We have already noted the role of the king in the first phase of “Hellenism” in Jerusalem, which required no more on his part than the (as I suggest) established right of the appointment of the high priest by the king, a pressing need for money, and that general attachment to the notion of Greek city life which we would expect any Hellenistic king to have shared. Nor do the massacre in Jerusalem and the robbery of the Temple treasures in 169/8 B.C., between the Egyptian campaigns, need any very special explanation; Josephus, C. Ap. 2, 84, can quote a number of pagan historians for the view that he did so simply to obtain much-needed funds. What does require such an explanation is the positive measures of 167 B.C. Our only contemporary source, Daniel, sees these steps as a reaction to the rebuff by Popillius Laenas in 168 (11:70): “The ships of Kittim will set out and go against him, and he will be humbled. And he will turn back and rage against the holy covenant. And he will take action and turn and pay heed to those who desert the holy covenant.” Daniel thus sees the event as springing from the state of mind of the king, alluding in passing, however, to his paying attention to “those who desert the holy covenant.” He clearly alludes to the establishment of a gentile garrison in Jerusalem, less clearly to a general prohibition of Jewish observances. 1 Macc. 1:29–64 also sees the events as initiated by the king, who began by sending “to the cities of Juda” an official with an army, and establishing a garrison. The elegy which concludes the first section (1:36–40) implies that already at this stage the effect was a flight of the Jewish inhabitants of Jerusalem and neglect of the Temple. Then there follows the statement (1:41) that the king “wrote to all his kingdom that all should be one people and that each (people) should abandon their own customs. All the peoples

conformed to the word of the king.” We have to admit that no other evidence survives for any such general measure, or indeed any comparable measure affecting anyone except Jews and Samaritans. The description of the persecution which follows (1:44–64) shows both a prohibition of Jewish observances and of the Temple cult, as mentioned above, and a positive enforcement of pagan observances, both in Jerusalem and elsewhere. It was when the royal officials came to Modein to compel the people to sacrifice that Mattathias began the Maccabean movement (1 Macc. 2:15–28).

2 Maccabees, always more circumstantial, describes three separate missions by royal officials to Judaea: a Phrygian named Philippus left as *epistatēs* (commander) in 169/8 (5:22), and one Andronicus as *epistatēs* over the Samaritans (5:23); then the “mysarch” (an unintelligible term) Apollonius, with a force which carried out a massacre (5:24–26); and finally an Athenian named Geron “to force the Jews to give up their ancestral beliefs and no longer order their lives according to God’s commands. And also to desecrate the Temple in Jerusalem and dedicate it to Zeus Olympius, and that on Mount Gerizim, as the inhabitants had petitioned, to Zeus Xenius.”⁴³ 2 Maccabees goes on to describe the positive and negative features of the persecution in comparable terms, adding the vital detail that a decree was sent out to the neighbouring Greek cities to enforce the same measures on the Jews there (6:8–9).

It is not necessary to consider in the same detail the secondary account in Josephus (*Ant.* 12, 251–64) except to note that it represents the Samaritan petition (text to n. 10 above) as a reaction to their exposure to the same persecution. They address the king as “Basileus Antiochus *Theos Epiphanes*”; they assert that they are Sidonians, not Jews; claim that their observance of some Jewish customs is adventitious (which the king’s memorandum takes as meaning that they will live according to Greek customs); and ask for their temple “without a name” on Mount Gerizim to be dedicated to Zeus Hellenius.

Even if we take this document as essentially authentic (some doubts are expressed in text following n. 10 above), it and the parallel reference in 2 Maccabees remain the only evidence that anybody in the locality actually requested that the temple should be dedicated to Zeus. No such evidence exists for Jerusalem.

Thus our evidence, both pagan and Jewish, shows that what was involved in the 160s involved (a) measures taken by officials and

troops sent by Antiochus; (b) a renunciation of Jewish customs and observances by all those regarded as following them, in Jerusalem, in the “cities” of Judaea (like Modein), in the Samaritan territory, and (according to 2 Maccabees) in the surrounding Greek cities (but not, so far as we know, among the Jewish communities of Greek cities elsewhere, such as Antioch); (c) an imposition on individuals of acts of pagan worship; (d) an attribution to Zeus, under different names, of the temples on Mount Gerizim and in Jerusalem; and (e) (attested only for Jerusalem) a transformation of the cult in the Temple, of a nature and purpose which have yet to be discussed.

The evidence of actual events would thus support the view of Diodorus, or his source, that at any rate one motive which was involved was an intention on the part of Antiochus to abolish by force all observance of the Law. This conclusion is strongly supported if we accept as authentic the royal letters collected out of chronological order in 2 Macc. 11.⁴⁴ In spring 164 B.C., before the recapture of the Temple, Antiochus writes from his eastern expedition, to the “*gerousia* [council or council of elders?] of the Jews and the other Jews” promising an amnesty to those who return home before a certain date and saying “the Jews may use their own way of life and customs as before” (11:27–33). Even more clearly, after Antiochus’ death near the end of 164, his successor, Antiochus V Eupator, writes to an official: “Now that our father has departed to the gods . . . learning that the Jews, not consenting to the adoption of Greek customs wished by our father, but preferring their own way of life, demand that they should be granted the observance of their laws, we, desiring that this people should be at peace, have decided that their temple should be restored to them and that this community should live according to the customs of their forebears” (11:22–26).

By this time the Temple had already been re-captured and re-dedicated, though a Seleucid garrison remained in Jerusalem; so Antiochus was in this respect restoring what he no longer held. But the vital implication of both letters is that there had indeed been a policy of conversion on the part of Antiochus, and that it concerned essentially the question of Jewish or of Greek customs and observances.

The fact is, in my view, established. It is best to confess, however, that there seems no way of reaching an understanding of how Antiochus came to take a step so profoundly at variance with the normal assumptions of government in his time. We may note,

however, that he did have a later imitator: for it can hardly be an accident that Hadrian, the most phil-Hellenic (and well read) of Roman emperors, was to forbid circumcision and to re-found Jerusalem as a Roman *colonia* named after Jupiter Capitolinus.

There remain the two related questions: what evidence have we for the influence of Jewish Hellenisers on Antiochus' decision and for the nature of the cult established in the Temple in 167–164 B.C.?

The Hellenisers and the Temple Cult of 167–164 B.C.

As we saw above, Menelaus had gained the high priesthood by outbidding his predecessor, Jason, the leader of the earlier Hellenising movement. Nothing in our sources reveals his role at that stage, or (in relation to the question of Hellenism) during his high priesthood except that in the course of a confused passage (*Ant.* 12, 237–41) Josephus says that when pressed by the deposed Jason (see above) Menelaus and the Tobiads—never mentioned in this context by either book of Maccabees—went to Antiochus and said that they wished to adopt Greek customs. But the whole context is muddled, and we do not reach good evidence until Antiochus IV's letter of spring 164 B.C. (above), which shows Menelaus with the king on his campaign of that time, interceding for the Jews, and being sent back to attempt a reconciliation. The letter does not call him high priest (and therefore it is just conceivable that the identification is wrong), but it is clear that Menelaus remained in office as high priest until put to death while in the entourage of Antiochus V Eupator in 163/2 B.C. Here 2 Macc. (13:3–8) notes that it was proved to the king that Menelaus was “responsible for all the evils” and also comments that he had “committed many wrongs in relation to the Altar”; but it says nothing more specific about his previous role. Josephus is more definite:

For Lysias had advised the king to slay Menelaus, if he wished the Jews to remain quiet and not give him any trouble; it was this man, he said, who had been the cause of the mischief by persuading the king's father to compel the Jews to abandon their fathers' religion. Accordingly, the king sent Menelaus to Beroea in Syria, and there had him put to death; he had served as high priest for ten years, and had been a wicked and impious man, who in order to have sole authority for himself had compelled his nation to violate their own laws.⁴⁵

It must be emphasised that this passage of Josephus, whose account is secondary, filled with abbreviations and confusions, and separated by two and a half centuries from the events in question, is the most

concrete and specific evidence we have for the responsibility of Menelaus (or any other “Helleniser”) for the persecution by Antiochus. For what it is worth, like all our other explicit evidence, it refers not to the creation of a syncretistic cult but to a forcible suppression of Judaism.

None the less, it is true that Menelaus was given the high priesthood by Antiochus; survived an armed challenge by his predecessor, Jason; kept his office through the period of persecution, acting at least once as intermediary between the king and the Jews; and was succeeded after his execution by Alcimus, or Yakim—a true descendant of Aaron, unlike himself—who was appointed by Antiochus V Eupator, and was skilful enough to have himself reconfirmed by Demetrius when he seized the Seleucid throne in 162 B.C.⁴⁶ The fact that there was thus a continuity in the occupation of the high priesthood is reason enough to ask whether there was any continuity in the form or object of the cult practised in the Temple before and after 167. For the change to be such that we could properly call it a *reform* at least three conditions would have to be satisfied. That there was a continuity of personnel, which there was, at least in the person of the high priest; that these individuals either initiated or were personally committed to the change, for which the evidence is at best very slight; and, above all, that it continued to be monotheistic, at the very least in the weak sense of recognising one god as clearly supreme amongst others.

Notoriously, the further in time our sources are from these events, the more specific they are about the cults and cult objects now established. But this question, discussed brilliantly but speculatively by Bickermann⁴⁷ and more dispassionately by Hengel (292–303), is absolutely central to the whole issue. For unless the nature of the cult can be clearly established, discussions of what form of ideology or religious belief led to it become largely pointless.

We may leave out of account here those cult acts or other actions (like eating pork) which were forcibly imposed on the population solely in order to make them break the Mosaic law, and concentrate on what little is actually attested of the new cult forms in the Temple. For the reasons mentioned above, the order of treatment must be chronological.

Firstly, Daniel 11, though it refers to the “abomination of desolation” (v. 31) and to the establishment in Jerusalem of a foreign garrison worshipping a foreign god (v. 39), cannot provide us with

any specific information about the cult.

Secondly, 2 Macc. 6 is much more helpful. It records the dedication (on the orders of Antiochus) of the Temple to Zeus Olympius and of that on Mount Gerizim to Zeus Xenius, the latter on the request of the inhabitants (see above). Orgies involving intercourse with women (i.e., ritual prostitution?) took place in the Temple precincts. Unlawful sacrifices were made on the Altar of Burnt Offering. The royal birthday was celebrated, as were feasts of Dionysus. Chapter 10 reveals that pagan altars had been placed in the market-place of Jerusalem and sacred precincts established.

Thirdly, 1 Macc. 1 reveals that many Israelites sacrificed to idols (v. 43) and that the king's order involved the construction of "altars, sacred precincts, and shrines for idols." The "abomination of desolation" was set on the Altar, and other altars were built in the cities of Judaea (54). Verse 59 shows that the "abomination" was a pagan altar placed on the Altar of Burnt Offering.

Fourthly, Diodorus 34/5, 1 (see above), under the impression that the Temple contained a cult statue of Moses, as Founder, records that Antiochus sacrificed a sow to him on "the open-air altar."

Fifthly, Josephus, in *BJ* 1, 34, also relates that a sow was sacrificed on the Altar, and more specifically, in *Ant.* 12, 253, that he built a pagan altar over the Altar and sacrificed swine on it.

This evidence is all that we have from sources reasonably close in time to the events. It is noticeable that they tend to concentrate on the new form of sacrifice on the Altar of Burnt Offering. None makes any reference to the Holy of Holies or to the establishment in the Temple of any pagan cult statue. Later sources, however, do make specific assertions relating to cult statues.

Sixthly, Jerome's *Commentary* on Daniel, using Porphyry's detailed discussion of it written in the later third century A.D., makes a number of detailed statements about the cults imposed: Antiochus established a statue of Zeus Olympius in the Temple (on 8:14–15); later he states that as well as the *simulacrum* (image) of Zeus statues of Antiochus himself were placed in the Temple (on Dan. 11:31; also on v. 36), and that it was these which Daniel called the "abomination of desolation."⁴⁸ The chronicler Georgius Syncellus (531 Dindorf) also reports the establishment of a statue of Zeus Olympius in the Temple, while Ioannes Malalas states that the Temple was dedicated to Zeus Olympius and Athena (206–7 Dindorf).

Later writers thus clearly assumed that the attribution of the Temple to Zeus will have involved a cult statue. If we use their testimony at all—which we probably should not—we cannot avoid its implications simply by denying, as did Bickermann,⁴⁹ that such statues will have been objects of cult. In conclusion, however, it has to be admitted that we do not know whether there was a cult statue, or more than one, in the Temple. All that we can be certain of is that the Temple was dedicated to Zeus Olympius, the favoured god of Antiochus, and that sacrifices of pigs were carried out on a pagan altar constructed over the Altar of Burnt Offering.

But if the Temple was dedicated to one god, that was no more than a normal feature of paganism. It would imply some form of monotheism only if our best evidence showed categorically that other cults were not imposed on the Jewish population. But our most detailed evidence, 2 Maccabees, shows precisely that a number of altars and sacred precincts were established, and specifically that rites in honour of Dioskuros were required. In short, what was imposed was paganism.

Conclusion

Little of the evidence discussed above is absent from Hengel's learned and invaluable book. What is offered as a reflection on it is a basic change of emphasis. I would argue, firstly, that the evidence shows how un-Greek in structure, customs, observance, literary culture, language, and historical outlook the Jewish community had remained down the earlier second century, and how basic to it the rules reimposed by Ezra and Nehemiah had remained.⁵⁰ That there was a "Hellenising movement" is beyond all question, but by far the best evidence for it relates to the first phase, the establishment of Jerusalem as a Greek city called "Antiochia" and its gymnasium in the 170s. To see the whole course of events as the work of a "Hellenising party" is to ignore the change of the high priesthood from Jason to Menelaus; to underestimate the violence and extent of direct Seleucid administrative and military intervention; and to build an immense structure on a few fragments of evidence (almost entirely from Josephus' confused account) laying the responsibility for what happened on Menelaus and his associates.

However difficult it may be to accommodate it within our normal views of Hellenistic rule in Asia, the evidence, both Jewish and pagan, asserts that the programme of "forced" conversion to Hellenism (or

paganism) was that of Antiochus and was carried out by his agents. He did not, it is true, conduct it in person; moreover, by 165 B.C., the need to exact taxes from the central Asian provinces of his empire was more pressing than the concerns of Judaea, and he died far away in Elymais at just about the moment when Jewish worship was restored in the Temple. Even before that he had begun to compromise, and his son Antiochus V at once formally abandoned his father's attempt to force the Jews to accept "Greek customs."

That was what it had been (as indeed Hengel admits, 292). It follows that literary or philosophical identifications of the Jewish God with Zeus or a "Highest God" of the pagan pantheon would have only a restricted relevance, even if—which is not the case—they could be shown to have been shared by persons living in Judaea in the period leading up to the "reform attempt." For the events of 167 we lack not only any convincing evidence of the theology of the putative "reformers" or (as above) for their influence on Antiochus, but also any adequate grounds for believing that the cult then established had clearly monotheistic features, or retained anything from the previous worship in the Temple which would entitle it to be called a "reform" rather than an abolition.

These are difficult questions, if of the greatest historical importance; and no one, least of all the author, will wish to claim that he has divined with certainty a reality different from that portrayed in Hengel's great work. But it may yet be helpful to put forward, as hypotheses, a number of propositions which together would present a totally different conception of these events from that of Hengel: (a) that what was significant about the Jewish community of the third and second centuries B.C. was the superficiality of its Hellenism; (b) that there was a reform attempt, initiated from within the community, but confined to the high priesthood of Jason; (c) that the crisis of the 160s arose from an attempt by Antiochus Epiphanes to impose by force the abolition of Judaism and the adoption of paganism; (d) that, while many Jews certainly assented to this, the evidence for a Hellenising party having instigated it is very slight; and (e) that we should not look for the intellectual background of a syncretistic reform movement within Judaism, because we have no clear evidence that such a movement existed.

Notes

- * First published in *Journal of Jewish Studies* 29 (1978): 1–21.

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1. M. Hengel, *Judaism and Hellenism: Studies in Their Encounter in Palestine during the Early Hellenistic Period* I–II (1974), henceforth Hengel. Cf. also his *Juden, Griechen und Barbaren: Aspekte der Hellenisierung des Judentums in vorchristlicher Zeit* (1976).

2. See Tessa Rajak, “The Unknown God,” *JJS* 28 (1977): 20–29.

3. A. D. Momigliano, in his review in *JThS* 21 (1970): 149–53 = *Quinto Contributo alla storia degli studi classica del mondo antico* (1974), 931–36; for a further perspective, cf. his “J. G. Droysen between Greeks and Jews,” *History and Theory* 9 (1970): 139–53 = *Essays in Ancient and Modern Historiography* (1977), 307–23.

4. L. T. Geraty, “The Khirbet el-Kôm Bilingual Ostrakon,” *BASOR* 220 (1975): 55–61; cf. A. Skaist, “A Note on the Bilingual Ostrakon from Khirbet el-Kom,” *IEJ* 28 (1978): 106–8.

5. For Nabataea, see, e.g., the brief survey and bibliography in Schürer, Vermes, and Millar, *History* I, app. 2; and P. C. Hammond, *The Nabataeans: Their History, Culture and Archaeology* (1973). For Palmyra see M. A. R. Colledge, *The Art of Palmyra* (1976).

6. Herodian 5, 3, 3–6, trans. C. R. Whittaker in the Loeb ed. For the cult, see *RAC*, s.v. “Elagabal.” For Emesa, H. Seyrig, “Caractères de l’histoire d’Emèse,” *Syria* 36 (1959): 184–92.

7. See “The Phoenician Cities: A Case-Study of Hellenisation,” *Proc. Camb. Philol. Soc.* 209 (1983): 54–71 (= chapter 2 in the present volume).

8. The evidence, which demands further study, is summarily collected in F. Millar, “Paul of Samosata, Zenobia and Aurelian: The Church, Local Culture and Political Allegiance in Third-Century Syria,” *JRS* 61 (1971): 1–17, on 5–6 (= chapter 10 of the present volume).

9. Eusebius, *Praep. Ev.* 1, 10, 55 = F. Jacoby, *FGrH* 790 F. 4 (55).

10. *Ant.* 12, 257–64.

11. *Alien Wisdom*, 108.

12. *Ant.* 9, 291.

13. Eusebius, *Praep. Ev.* 9, 17 = Jacoby, *FGrH* 724. See also Hengel, 88–92, and A.-M. Denis, “L’historien anonyme d’Eusèbe

(*Praep. Ev.* 9, 17–18) et la crise des Macchabées,” *JSJ* 8 (1977): 42–49. I am unable to discern why the mention of Mount Gerizim should lead to the presumption that the author was a Samaritan.

14. J. Teixidor, *The Pagan God: Popular Religion in the Greco-Roman Near East* (1977).

15. For a clear treatment, see J. Bright, *History of Israel*² (1972), chaps. 9–12. Note also the interesting, if very speculative, treatment by Morton Smith, “Palestinian Judaism in the Persian Period,” in H. Bengtson, *The Greeks and the Persians* (1968), chap. 18.

16. See F. M. Cross, “A Reconstruction of the Judean Restoration,” *JBL* 94 (1975): 4–18.

17. L. Y. Rahmani, “Silver Coins of the Fourth Century B.C. from Tel Gamma,” *IEJ* 21 (1971): 158–60.

18. A. Kindler, “Silver Coins Bearing the Name of Judea from the Early Hellenistic Period,” *IEJ* 24 (1974): 73–76; D. Jeselsohn, “A New Coin Type with Hebrew Inscription,” *IEJ* 24 (1974): 77–78.

19. Quoted by Josephus, *C. Ap.* 1, 183–204 = Stern, *Greek and Latin Authors* I, no. 12.

20. *C. Ap.* 1, 189, reading διφθέραν with Stern (n. 19).

21. Josephus, *Ant.* 12, 237–38.

22. See *Ant.* 12, 161, Loeb trans. See Schürer, Vermes, and Millar, *History* I, 139.

23. *Sel. Pap.* I, no. 1.

24. Diodorus 40, 3 = Stern, *Greek and Latin Authors* I, no. 11.

25. Josephus, *C. Ap.* 1, 205–11 = Stern, *Greek and Latin Authors* I, no. 30a.

26. Preserved only by Josephus, *Ant.* 12, 138–46. But note the documents relating to this Ptolemaios in the inscription published by Y. H. Landau, “A Greek Inscription Found near Hefzibah,” *IEJ* 16 (1966): 54–70 (= *SEG* XXIX 1613).

27. See E. Rivkin, “Ben Sira—The Bridge between the Aaronide and Pharisaic Revolutions,” *Eretz-Israel* 12 (1975): 95*–103*. Part of the original Hebrew text has, of course, been recovered at Masada; see Y. Yadin, “The Ben Sira Scroll from Masada,” in *Masada: Final Reports* VI (1999), 151–252.

28. See up-to-date surveys in DJD XXXIX (2002).

29. J. T. Milik, *The Books of Enoch: Aramaic Fragments of Qumrân*

Cave 4 (1976).

30. *Jüdische Schriften aus hellenistisch-römischer Zeit I: Historische und legendarische Erzählungen* 3; Chr. Habicht, 2. *Makkabäerbuch* (1976).

31. The translation of this phrase is a notorious crux. I take it to mean that all the inhabitants of Jerusalem were to become citizens of a new *polis* called (like many others) “Antiochia.” For the clearest statement of this view, and a refutation of Bickermann’s interpretation, that the reference is to the establishment of a corporation of “Antiochenes” *within* the population of Jerusalem, see G. Le Rider, *Suse sous les Séleucides et les Parthes* (Mém. Miss. Arch. Iran. 38, 1965), 410–11.

32. The chronology is, of course, much disputed. I would however retain that of Schürer, Vermes, and Millar, *History* I, 150–53.

33. See J. D. Ray, *The Archive of Hor* (1976), esp. 124–30.

34. See the references in Schürer, Vermes, and Millar, *History* I, 537–40.

35. See, e.g., Bickermann, *Der Gott der Makkabäer*, 134.

36. So, before Hengel, Bickermann, *Der Gott der Makkabäer*, 117ff.; but cf. V. Tcherikover, *Hellenistic Civilisation and the Jews* (1959), 175ff.

37. Diodorus 34/5, I (Loeb trans.) = Stern, *Greek and Latin Authors* I, no. 63.

38. J. B. Pritchard, *Ancient Near Eastern Texts* (1969), 317.

39. Pausanias, *Description of Greece* 1, 16, 3, trans. Frazer.

40. See the valuable discussion by O. Mørkholm, *Antiochus IV of Syria* (1966), chaps. 3 and 7.

41. J. G. Bunge, “‘Theos Epiphanes,’ Zu den ersten fünf Regierungsjahren Antiochos IV Epiphanes,” *Historia* 23 (1974): 57–85.

42. J. G. Bunge, “‘Antiochos-Helios,’ Methoden und Ergebnisse der Reichspolitik Antiochos’ IV Epiphanes von Syrien im Spiegel seiner Münzen,” *Historia* 24 (1975): 164–88.

43. For this reading of the phrase, see Habicht, 2. *Makkabäerbuch*, on this verse.

44. For the most authoritative discussion, see Habicht, 2. *Makkabäerbuch*, 180–84. Note Habicht, “The Royal Letters in Maccabees II,” *Harv. Stud. Class. Phil.* 80 (1976): 1–18.

45. *Ant.* 12, 384–85 (Loeb trans.).

46. For Alcimus/Yakim, see 1 Macc. 7:5–25; 2 Macc. 14:3–13; Josephus, *Ant.* 12, 385–87, 391–92.

47. *Der Gott der Makkabäer*, 90–116.

48. References are to the text in *Corp. Christ. Lat.* LXXVA (1964), S. *Hieronymi Presbyteri Opera* 1.5 *Commentarium in Daniele* Libri III.

49. *Der Gott der Makkabäer*, 102.

50. I would thus not wish to accept the conclusions of Howard Clark Kee in his valuable and interesting review of the new Schürer in *Religious Studies Review* 2, Oct. 1976, 4–6: namely that Schürer's work, even as revised, represents an outdated conception of Jewish life in this period as dominated by the Law; rather the future belongs with Hengel's conception of it as profoundly Hellenised. The evidence now available seems to me to suggest otherwise even more strongly than did that known to Schürer.

CHAPTER FIVE

Polybius between Greece and Rome



I would like to begin with some much-quoted words of Polybius himself (1, 1, 5). “For who is so worthless or so idle as not to wish to find out by what steps and overcome by what sort of political structure almost all parts of the inhabited world have, in the space of hardly fifty-three years, fallen under the domination of the Romans, a thing which is not found ever to have happened before?”

The fifty-three years which Polybius refers to were those which began in 220 B.C., the moment when, in his view, events in all parts of the Hellenised world, previously separate, began to be interconnected; they ended in 168 B.C., when, at the battle of Pydna, Rome destroyed the first of the great Hellenistic monarchies, that of the Antigonids, which had ruled Macedonia for a little over a century. By “domination” (*archē*) Polybius did not mean what we often mean when we think of the formation of the Roman Empire: the creation of territorial provinces and the imposition of tribute. He meant military victory, the right to decide whether or in what form a city or a kingdom might keep its independence, and the ability to command obedience by the threat of force.¹

That same year, 168 B.C., saw the most spectacular of all examples of the exercise of Roman domination in this sense. Antiochus IV, the ruler of the Seleucid kingdom, based on Syria and Babylonia, had invaded Egypt, had defeated the Ptolemies, had claimed the kingship of Egypt for himself,² and was outside Alexandria with his army. But at that moment there appeared a Roman ambassador, Popillius Laenas, who handed the king the text of a decree of the Senate, telling him to end his war with Egypt. When the king said that he would consult with his advisers, Laenas made the famous gesture of drawing a circle in the sand round where the king was standing and telling him to give his answer before stepping out of it. The king submitted. The earliest narrative of this famous scene comes from Polybius himself (29, 27). But the humiliation of the king made an immediate impact in the eastern Mediterranean, as we know from a pseudo-prophecy in the book of Daniel, written only a couple of years later (11:30): “For the ships of Kittim will come, and he shall be grieved and return.”³

While the two Ptolemies were still in danger from Antiochus IV's advance, the major league of Greek cities in the Peloponnese, the Achaean league, had debated whether to send military assistance to them. Ambassadors from the two Ptolemies, brothers who were formerly at odds but now reconciled, had arrived asking for the dispatch of 1,000 foot soldiers and 200 cavalry. The infantry were to be commanded by Lycortas, Polybius' father, and the cavalry by Polybius himself, now probably in his thirties.⁴ The proposal, however, ran into difficulties; the pro-Roman party argued that all their efforts should be directed to helping the Romans in their current war against Perseus, the king of Macedon, in which a decisive battle was now (rightly) expected. Polybius replied that in the previous year (169 B.C.), when he had been sent as ambassador to the Roman commander, he had been told that the Romans needed no military assistance; in any case the Achaean league could raise 30,000 or even 40,000 men if need be, so 1,000 going off to Alexandria would make no difference (29, 23–25).

In fact, the force was not sent to Alexandria. In the same year, 168 B.C., the Romans defeated the Macedonians at Pydna, and the kingdom was dissolved. In the following year large numbers of political figures in Greece, regarded as anti-Roman, were taken off to exile in Rome and Italy: among these were 1,000 from Achaea, including Polybius himself. They were to remain there for seventeen years until their eventual release in 150 B.C.

It was in Rome that Polybius conceived his enormously ambitious plan for a universal history which would, first, show how events in all the different parts of the civilized (i.e., Hellenised) world came together in a set of causal interconnections, from 220 B.C. onwards. It would therefore cover an unprecedented geographical range, from Antiochus III's campaigns in northern India in the last decade of the third century to the Roman wars in Spain. The work was also on an enormous scale in itself. Had it survived complete, it would have run to over 4,000 printed pages of a Teubner text, or twenty Loeb volumes. As it is, what remains occupies six Loeb volumes. This always has to be remembered when we speak of what Polybius thought—or what he seems to have omitted.

One reason the work was so long was that Polybius changed his mind about where it should end. The original stopping point was to be the destruction of the Macedonian kingdom in 168 B.C. But at the beginning of book 3 he describes why he changed his mind:

Now, if from their success or failure alone we could form an adequate judgment of how far states or individuals are worthy of praise or blame, I could here lay down my pen. . . . For the period of fifty-three years finished here and the growth and advance of Roman power was now complete. . . . But since judgments regarding either the conquerors or the conquered based purely on performance are by no means final . . . I must append to the history of the above period an account of the subsequent policy of the conquerors and their method of universal rule, as well as of the various opinions and appreciations of these rulers entertained by the subjects. (3, 4)

He therefore, in this second introduction, sketches the events which were to occupy the last ten books (30–39), covering the years from 167 to 146 B.C. The culminating point was to be the war of 147–146 B.C., in which the Achaean league rose in revolt against Rome and was destroyed. It is crucial to his whole historical perspective that he chose the tragic end of his own league as his conclusion; this, along with the Roman defeat of a renewed revolt in Macedon, was “the general disaster of all Hellas” (3, 5, 6).

Polybius’ second intention, in his original plan, had been not merely to describe how all these complex events interlocked but to explain why the Romans had been successful. The explanation, as the quotation with which this essay begins indicated, was to be in terms of the Roman constitution or political structure, the *politeia*: “Who would not wish to find out . . . what sort of *politeia* had enabled the Romans to achieve domination of the whole civilised world?” The reference is of course to the famous analysis of the working of the Roman constitution and political system in book 6, which he placed just after the Romans’ most crushing defeat, by Hannibal at Cannae in 216 B.C. This in other words was the moment when, if there were weaknesses in the system, they would show up. In fact the Roman system, with its elaborate checks and balances, showed remarkable resilience, and Hannibal was ultimately defeated.

As to the question of whether Polybius’ analysis of Rome was appropriate or wholly misguided, my view is that it was not in the least inappropriate to discuss Rome in terms of Greek political theory, or to compare it to well-known Greek models.⁵ But my main point is that to understand Polybius we have to accept that his whole perspective is that of the self-governing Greek city, or league, of the classical and Hellenistic periods. The second point is that Polybius’ intention, in analysing the reasons for the success of Rome, was

neutral: to give reasons for success and resilience is not in itself to recommend a system, still less to praise the results of its success.

That brings me to a third preliminary point. In going on to cover the troubled period from 167 to 146 B.C., Polybius evidently did intend to introduce an element of moral judgement into his *History*. How in fact had the victors used their power? There is no simple or unambiguous way of stating Polybius' conclusion. In a paper with the same title as this one, F. W. Walbank, the greatest modern expert on Polybius, concluded that on the whole his view was favourable.⁶ I think otherwise; that Polybius, though he expresses himself obliquely, took an increasingly distant and hostile view of Roman domination. At the very least, one point is surely remarkable by its absence. In the whole surviving text there is not a single word to the effect that Roman domination was a good thing or brought benefits to those who came under it. For a man who believed that the Achaean revolution of 147–146 B.C. was a tragic error, who had spent seventeen years in Rome, and who had friends in the highest Roman circles, this silence surely speaks volumes.

There is more to it than that, however. In the second to last of the surviving books (38) he comes to the Achaean war of 147–146 B.C., which destroyed his own Achaean league, which he had called in book 2 the political system best fitted of all for equality and freedom of speech—in fact, true democracy (2, 38, 6). To introduce the Achaean war he puts it deliberately in a long historical perspective: going back to Xerxes' invasion of Greece in 480 B.C., he reviews all the major calamities and conflicts in Greek history, and concludes that this was the greatest disaster of all; partly because it was the Achaeans' own fault, partly because in other cases no moral blame had been incurred, and partly because recovery from disaster had often come swiftly. This time, by implication, no recovery was in sight (38, 2–3).

To Polybius the role of the historian was not just to record, though a history which recorded events on a universal scale gained great significance from that alone. The historian's role was to judge, to put events in a wider context, and to provide lessons for the future. For that of course the historian must himself have political and military experience; Polybius had a leading role in a major Greek league. Second, he must be able to see the events he is recording in perspective and, by setting them in context, to bring out their meaning and significance. In the quotation from the first two pages of Polybius with which I began, he suggests that no one could be so indolent as

not to want to understand how Rome had achieved universal domination. The significance of that domination would become clear, however, by comparison with the empires of the past:

The Persians for a certain period possessed a great rule and dominion, but so often as they ventured to overstep the boundaries of Asia they imperilled not only the security of their empire but their own existence. The Lacedaimonians, after having for many years disputed the hegemony of Greece, at length attained it but to hold it uncontested for some twelve years. The Macedonian rule in Europe extended but from the Adriatic region to the Danube. . . . Subsequently, by overthrowing the Persian empire they became supreme in Asia also. But . . . they never even made a single attempt to dispute possession of Sicily, Sardinia, or Libya, and the most warlike nations of Western Europe were, to speak the simple truth, unknown to them. (1, 2)

In this last sentence he is emphasising a distinctive feature of Roman domination. It is not of course wrong to see Polybius as a historian of Rome and its empire. Indeed when Penguin Books brought out in 1979 a one-volume selection of Polybius, they called it *The Rise of the Roman Empire* and made the selection in such a way as to concentrate almost entirely on Roman history. However, to do that, though it has its uses, is to lose sight of Polybius' vastly wider geographical perspective of events from India to Asia Minor, to Syria, Egypt, Crete, and Macedonia. But above all it is to neglect the real historical perspective which Polybius brings to the events of his age. That is the perspective, first, of the Greek historical tradition of the classical and Hellenistic periods. It is worth reminding ourselves that these words, "classical" and "Hellenistic," are our terms, not his. They can, moreover, be seriously misleading. Within the past half-century books have occasionally been published which announce that the death of Alexander the Great in 323 B.C. marked the end of Greek freedom, the death of the Greek city-state, and the beginning of a new age.⁷ As regards the Hellenisation of the East, there was something in this, even though that Hellenisation neither began with Alexander nor depended entirely on his conquests.⁸ But that was not in any case an aspect of history in which Polybius took much interest. As regards mainland Greece, Hellas proper, it is nonsense.

For Polybius, as is absolutely clear, Greek history from the fifth century to his own time was a continuum, in which there had been many disasters but no violent break. This perspective, as we shall see,

stretched back to include some mythical founders and lawgivers, like Lycurgus in Sparta, and it of course reached to the poems of Homer. But the later archaic period, on the evidence of the surviving text, did not play a large part in Polybius' consciousness; nor did the monarchies of the Near East, except by way of general allusions to the Persian Empire. His real historical starting point, or boundary, was Xerxes' invasion of 480 B.C. From that point Polybius' use of earlier history embodies an awareness of a continuous and still relevant story, all of which was of importance for the present. For instance, when he has narrated the Roman defeat of the Gauls in the Po Valley in the 220s B.C., he turns immediately to Greek examples of the successful repulse of barbarians. One of them, once again, is Xerxes' invasion; the other is the defeat of those Gauls who invaded Greece and reached Delphi in 279 B.C., a defeat celebrated throughout the Hellenistic world⁹ (he omits to say that the victory was gained by the Aetolians, of whom he did not approve). His motives for making these allusions are, as usual, stated with great clarity:

For indeed I consider that the writers who chronicled and handed down to us the story of the Persian invasion of Greece and the attack of the Gauls on Delphi have made no small contributions to the struggle of the Hellenes for their common liberty. For there is no one whom hosts of men or abundance of arms or vast resources could frighten into abandoning his last hope, that is to fight to the end for his native land, if he . . . bore in mind how many myriads of men, what determined courage and what armaments were brought to nought by the resolve and power of those who faced the danger with intelligence and coolness. (2, 35, 7–8)

What determines Polybius' perspective is both a national tradition of Greek patriotism and, as this passage illustrates, a historiographical tradition.

As it happens, the surviving text of Polybius nowhere names Herodotus, on whom of course the tradition of the defeat of Xerxes depended. The writers of the later fifth, fourth, and third centuries, Thucydides, Xenophon, Ephorus, Theopompus, Callisthenes, and Timaeus, to name only the major figures, represented for him a continuous tradition of Greek history writing, to which he constantly makes explicit reference. Indeed, his choice of the date 264 B.C., with which he opens his preliminary narrative of Roman history, before he comes to the great conjunction of events in 220–216 B.C., was determined partly by the fact that it was then that Roman forces first

crossed into Sicily; and partly by the fact that it was in that year that Timaeus' *History* had stopped (1, 51, 1; 39, 8, 4). Nor was there any doubt what the proper and central subject of a Greek history should be. This is made quite clear in what he says of Theopompus' *History*, which covered the period from 411 B.C. to the reign of Philip of Macedon:

No one could approve of the general scheme of this writer. Having set himself the task of writing the history of Greece from the point at which Thucydides leaves off, just when he was approaching the battle of Leuctra and the most brilliant period of Greek history, he abandoned Greece and her efforts, and changing his plan decided to write the history of Philip. Surely it would have been much more dignified and fairer to include Philip's achievements in the history of Greece than to include the history of Greece in that of Philip. (8, 11, 3–4)

As we shall see at the end, the tension between monarchic power, with its varied threats and possible benefits, and the freedom of the Greek cities was one of the fundamental issues which shaped Polybius' historical consciousness. There is a very real sense in which the period of Greek history within which Polybius most fully "belongs" is that which begins in the very late fifth century, and is marked by the rise and influence of monarchs, whether tyrants, like Dionysius I the tyrant of Syracuse (406–367 B.C.), or kings, like Philip of Macedon and his successors.¹⁰ If we allow ourselves to gain a sense of Polybius' historical consciousness, we might begin to feel more sympathy for the suggestion made by Hermann Bengtson that we should use the term "Hellenistic" not just of the period after Alexander, but from the first half of the fourth century onwards.¹¹ What Polybius does not do, however, is to treat the monarchies which played such an important part in his world as being themselves objects worthy of the serious application of political theory. In that he is quite explicitly the heir of the fourth-century Greek political theory of Plato and Aristotle, to both of whom he refers repeatedly, and whose analyses were devoted to the nuclear city-state.¹² When he comes to his famous discussion of the Roman constitution in book 6, the frame of reference or comparison which he applies is first of all Sparta and the constitution given by Lycurgus (6, 10); later he returns to Sparta, once again, along with the cities of Crete, Mantinea, and Carthage. Two other candidates for consideration, Athens and Thebes, are set aside because their respective periods of dominance, in the fifth and fourth centuries

respectively, were too brief, their political structures too unstable or fragile to be worth serious comparison with that of Rome (6, 43–44). In the end, Polybius makes clear, what demonstrated that the Spartan constitution was also inferior to the Roman one was the fact that it did not stand up to the strains imposed on it by controlling a foreign empire. The Spartans had succeeded in dominating their neighbours in the Peloponnese, the Messenians. But when it came, in the early fourth century, to a general domination of Greece, they found themselves compelled to be dependent on the very Persians whom they had just defeated. For they needed to ask them for the funds which their own laws, laid down by Lycurgus, prevented them from generating at home. So they made the inglorious Peace of Antalcidas (the “King’s Peace”) of 387 B.C., in which they betrayed the freedom of the Greeks to Persia in return for financial support. By comparison, the Romans, having sought at first only the domination of Italy, could command the resources to control an overseas empire as well (6, 49–50).

In examining the ability of a city-state to support an empire, Polybius extends the range of political thought beyond that inherited from Plato and Aristotle. So he does also in his marvellous account in book 2 (37–44) of the history of his own Achaean league from its legendary origins, to its overshadowing by Sparta and then Macedon in the fourth century, and its re-emergence, recovery of freedom, and rapid extension in the third. Plato and Aristotle had not given any attention to analysing the nature of federal states. Polybius did. By his own time, he says, the Achaean league had almost become a single city-state: “They have the same laws, weights, measures and coinage, as well as the same magistrates, councillors and juries, and the whole Peloponnese only falls short of being a single city in the fact of its inhabitants not being enclosed by one wall” (2, 37, 10–11).

As has often been noted, Polybius discusses Rome also in terms of a nuclear city-state and did not devote any attention, so far as we know from the surviving text, to what moderns sometimes call the “Italian confederation.” But in that he was in fact right, for the structure of Roman Italy was that of a set of alliances between Rome and individual city-states and peoples, and was no sort of league of confederation like the Achaean league.¹³ Where he might have extended the range of political analysis beyond that inherited from Plato and Aristotle was in relation to monarchy. For while the resilience of Rome in the face of three major defeats by Hannibal in

the years 218–216 B.C. rightly impressed him, he might well have been struck, by comparison, by the fragility of the great Hellenistic kingdoms, which would admit defeat in a war after the loss of a single battle, as Macedon did in 197 and 168 B.C., or two battles, as with those of 190 and 189 B.C. by which the Romans drove Antiochus III first out of Greece and then out of Asia Minor.

Perhaps we should not blame Polybius for this oversight, however, for even the most brilliant of modern accounts, say by Elias Bickermann or Claire Préaux,¹⁴ have hardly succeeded in explaining what a Hellenistic monarchy was really like as a system, or how it held together at all. Confronted with monarchies, Polybius turns either to explanations in terms of personal character or to observations on the instability of human fortune. In both approaches, once again, the framework is supplied by the earlier history of Greece. For instance, when he wants to set in context the fact that Philip V of Macedon in 218 B.C. allowed his army to destroy colonnades and statues in the Aetolian city of Thermon, he reflects on the models which the king should have followed: Philip II's clemency to the Athenians after the battle of Chaeronea in 338 B.C.; Alexander's care not to destroy the temples of Thebes in Boeotia in 335 B.C., or his preservation of temples in the Persian Empire (5, 10). But Philip V, he says, was either too young or had the wrong advisers, and lost the chance of gaining the good reputation which mercy would have won him (5, 11–12). Later Polybius represents Philip V, now much older and perhaps wiser, telling his sons to read tragedies, myths, and histories, and to think of the disastrous effects of strife between brothers; or, alternatively, to think of the kings of Sparta, whose success had been gained by mutual concord and obedience to the laws and the ephors (the five annually elected magistrates). There was also the contemporary example of the two brothers, Eumenes II and Attalus II of Pergamon, whose concord had raised their kingdoms to greatness from small beginnings (23, 11).

When he comes to the great event with which I began, the Roman defeat of Perseus, king of Macedon, at Pydna in 168 B.C., and to the end of the Macedonian monarchy, Polybius turns back again to the fourth century and quotes a marvellous passage from Demetrius of Phalerum, the philosopher who was the effective ruler of Athens for a decade in the very early Hellenistic period, from 317 to 307 B.C. Demetrius in his work *On Fortune* had reflected on the sudden end of the Persian Empire (29, 21).

Do you think, that fifty years ago either the Persians and the Persian King or the Macedonians and the King of Macedon, if some god had foretold the future to them, would ever have believed that at the time when we live the very name of the Persians would have perished utterly—the Persians who were masters of almost the whole world—and that the Macedonians, whose name was formerly almost unknown, would now be lords of it all? But nevertheless Fortune . . . now also . . . makes it clear to all men, by endowing the Macedonians with the whole wealth of Persia, that she has but lent them these blessings until she decides to deal differently with them.

A century and a half later, as Polybius goes on to reflect, this inspired prophecy had come true, and Fortune had withdrawn from Macedon the blessings which she had briefly given.

Such reflections were of course not unique to Polybius. By his time, they had entered Roman culture as well. So, as he himself records (38, 22, 2), when the Roman general Scipio Aemilianus witnessed the destruction of Carthage in 146 B.C., he recalled the fate of the empires of Assyria, Media, Persia, and Macedon itself, and quoted two lines from the sixth book of Homer's *Iliad* (448–49):

A day will come when sacred Troy shall perish,
And Priam and his people shall be slain.

For Polybius the uses of history did not always need to be on so high a philosophical level as that. Writing for a Greek audience, to record and explain the rise of Rome to universal domination, he could on occasion use cross-references to Greek history purely for dating purposes, that is, to anchor events in earlier history in a context which was, or was supposed to be, familiar to his educated readers. It is worth stressing how detailed a familiarity with Greek history he seems to presume. “Who had not read,” he says at one point, “that when the Athenians, in conjunction with the Thebans, entered on a war against the Lacedaimonians, sending out a force of ten thousand men and manning a hundred triremes, they decided to meet the expenses by a property-tax, and made a valuation for this purpose of the whole of Attica including the houses and other property?” (2, 62, 6–7). Whether his audience really did have an immediate recall of this episode or not, it belonged, once again, in the fourth century, to be precise in 378 B.C., at the moment of the foundation of the Second Athenian Confederacy.

When he applies Greek history to Roman history for dating purposes, he normally selects points of reference which were more

familiar. So, for instance, the year of the earliest treaty between Rome and Carthage is identified not only as the first year of the annual pair of consuls at Rome, and the year after the expulsion of the Roman kings; it was also “twenty eight years before the crossing of Xerxes into Greece” (3, 22, 1–2)—that is, in our terms, 508 B.C. Or again, when the Gauls captured all of Rome except the Capitol, it was the nineteenth year after the battle of Aegospotamoi (which ended the Peloponnesian War, in 405 B.C.), the sixteenth year before the battle of Leuktra (in 371 B.C.), the same year as the Peace of Antalcidas with Persia, and also the same year as that in which Dionysius I, the tyrant of Syracuse, was besieging Rhegium, 387 B.C. (1, 6, 2). These multiple references can only have been helpful to an audience to whom the details of fourth-century history were familiar. Thanks to the Sicilian historian Timaeus, Polybius’ Greek history in the fourth and third centuries also embraced the history of Sicily. One of the many revelations of his history, if we think of it as a Greek history, is that it gives us something rather rare, a perspective which is decidedly non-Athenian, and is instead, firstly, Peloponnesian and, secondly, Sicilian.

In the third century too, he can use the same anchoring device, relating the Roman victory at Lake Vadimon in 283 B.C. both to Pyrrhus’ crossing into southern Italy in 280 B.C. and to the defeat of the Gauls at Delphi in 279 B.C. (2, 20, 6).

More significant, however, was the use of examples from Greek history as points of reference for historical and political judgements. Once again, such examples can only be useful if they are familiar and are charged with some meaning for their readers. For example, it might be right, Polybius suggests, to see Hannibal in the light of persons, or whole peoples, whom circumstances had caused to act variably, or contrary to their real character. For instance, Agathocles, tyrant of Syracuse in 316–289 B.C., had been by turns cruel and benevolent; Cleomenes, king of Sparta in the third century (235–222 B.C.), exhibited similar contradictions; the Athenian people behaved differently under the leadership of Aristides and Pericles than they did under Cleon and Chares; so also did the Spartans, under kings Cleombrotus and Agesilaus, in the early fourth century (9, 23). Again, the examples extend from the fifth century into the Hellenistic period. Examples derived from Herodotus play no part in Polybius’ mental framework, at least in the surviving text, which is less than one-third of the original.

What Polybius does use from archaic or legendary Greek history

does not derive from Herodotus but rather from separate traditions about early Sparta and its lawgiver, Lycurgus. It is these which he applies to Rome and its constitution in book 6, and these which he also uses in interpreting the role of the great Roman general, Scipio Africanus, commander in Spain against the Carthaginians from 210 B.C. onwards:

To me it seems that the character and principles of Scipio much resembled those of Lycurgus, the Lacedaimonian legislator. For neither must we suppose that Lycurgus drew up the constitution of Sparta under the influence of superstition and solely prompted by the Pythia, nor that Scipio won such an empire for his country by following the suggestions of dreams and omens. But . . . Lycurgus made his own scheme more acceptable and more easily believed by invoking the oracles of the Pythia in support of projects due to himself, while Scipio similarly made the men under his command more sanguine and more ready to face perilous enterprises by instilling into them the belief that his projects were divinely inspired. (10, 2, 8–12)

But the center of Polybius' historical culture was the experience of the Greek city-states from the fifth century onwards, and above all from the fourth century onwards, the period of the rise and intrusion of monarchic power. Thus, when dealing with the complex and catastrophic events of 147 and 146 B.C., which culminated in the more or less simultaneous destruction by the Romans of Carthage and Corinth, he defends his procedure in taking his narrative backwards and forwards between the two theatres of war by reference to existing histories of fourth-century Greece: "When dealing with Thessalian affairs and the exploits of Alexander of Pherae, they [these historians] interrupt the narrative to tell us of the projects of the Lacedaimonians in the Peloponnese or of those of the Athenians and of what happened in Macedonia or Illyria, and after entertaining us so tell us of the expedition of Iphicrates to Egypt and the excesses committed by Clearchus of Pontus" (38, 6, 2–3). Once again, these events, mainly of the 360s and 350s B.C., are assumed to be familiar to his readers. The same historical background had also been deployed when Polybius first came to the issue of how the Romans acted in the final war against Carthage, and how their actions should be judged.

Polybius conceals his own opinion by the device of setting out four different opinions of Rome's conduct which were held in Greece. It should be emphasised, however, that none of the four opinions quoted

is positively favourable: of the two more favourable, one held that it was a sign of prudence on the part of the Romans to destroy an ancient enemy when the opportunity offered; and the other maintained that the Romans had committed no actual offense in international law. Of the two unfavourable views, one held that the level of deceit used by the Romans amounted to impiety and a breach of treaty obligations. The other was that the Romans had previously taken their warfare only to the point of forcing their opponents to submit to their orders. But now they were deserting their former principles in favour of a lust for domination (*philarchia*) like that of Athens and Sparta and would come to the same bad end (36, 9). Here, too, the history of the fifth and fourth centuries is recalled to the reader.

But the most remarkable and detailed of all the occasions where Polybius makes use of the earlier history of Greece belongs at a previous stage in his narrative; very significantly this is at exactly the point where Roman military force first became a major factor in the life of mainland Greece. In 212 or 211 B.C. the Romans, threatened by an alliance between Philip V of Macedon and Hannibal, themselves made an alliance with the Aetolian league, the major power in north-western Greece.¹⁵ Then in 210 B.C. ambassadors from Acarnania, which was in alliance with Philip, and from Aetolia, now allied to Rome, presented themselves simultaneously at Sparta, each hoping to persuade the Spartans to join his side. To underline the significance of the occasion, Polybius in book 9 gives each of the two ambassadors a speech which presents a view of the historic role of the Macedonian monarchy in Greece and the light in which the Roman intervention should be viewed. (There is no way of saying how far the speeches in Polybius resemble anything that was actually said on this occasion, shortly before his birth. What matters is simply what we have in the text, two speeches designed to bring out the significance of a major turning point.)¹⁶

The Aetolian speaks first and, as so often in the text of Polybius, goes back to the mid-fourth century, to the capture of Olynthus by Philip II and his suppression of Sparta; then Alexander's destruction of Thebes, and Antipater's victory in the Lamian War of 322 B.C. He then comes to the various Successors who ruled in Greece from the late fourth century onwards: "And who is ignorant of the actions of Cassander, Demetrius and Antigonus Gonatas, all so recent that the memory of them is quite vivid? Some of them by introducing garrisons

to cities and others by introducing tyrannies left no city with the right to call itself unenslaved.” Finally he comes to the acts of violence which Philip V himself had committed in Greece. In the speech as preserved, apparently almost complete, there is no reference to the Romans, except to say that with their aid Philip was likely to be defeated (9, 28–31). Whatever the original speaker in 210 B.C. really said, Polybius could have used this point in his narrative to say something positive about the potential Roman role in Greece. He does not. The real issue, as always, lay elsewhere: the preservation of the freedom of the Greek cities in the face of the threats posed by successive kings and dynasties.

Then the Acarnanian ambassador gives a speech which reviews the same historical period, but from the opposite point of view. Philip II, he says, by defeating the Phocians in the Sacred War, that is, in 346 B.C., had saved the liberty of Greece. In the Peloponnese Philip had come in response to appeals and had used his power to arbitrate between Sparta and its enemies. His son Alexander had punished the Persians for their offenses against Greece and “in a word he made Asia subject to Greece.” As for later crimes in Greece, it was the Aetolians who were most guilty. It was the Macedonian monarchy of the Antigonids, which ruled from 276 B.C. onwards, which had protected Greece against the northern barbarians. Even Antigonus Doson, king of Macedon, in defeating Sparta in 222 B.C., had done so in order to liberate it from a tyrant, namely King Cleomenes.

But now, the Acarnanian ambassador goes on, it is no longer a matter of alliances between Greeks: “But now Greece is threatened with a war against men of a foreign race [the Romans] who intend to enslave her, men whom you [the Aetolians] fancy you are calling in against Philip, but whom you are really calling in against yourselves and the whole of Greece.” All Greeks should beware, especially the Spartans who had once thrown into a well the ambassador sent by Xerxes to demand submission and had sent Leonidas to defend the liberty of Greece at Thermopylae. The Romans had already committed atrocities in Greece: “A fine alliance this for anyone to determine to join, and especially for you Lacedaimonians, who, when you conquered the barbarians [i.e., the Persians at Plataea in 479 B.C.], decreed that the Thebans were to pay a tithe to the gods for having decided under compulsion, but alone among the Greeks, to remain neutral during the Persian invasion” (9, 32–39).

Once again, whatever the real Acarnanian speaker of 210 B.C.

actually said, Polybius certainly had the freedom to select what to put in his own narrative, perhaps even the freedom to invent appropriate words. It is surely significant that at the moment of the first substantial Roman involvement in Greece, he makes a speaker represent them as foreigners intent on enslaving Greece, directly comparable to the Persians, those *barbaroi* whose defeat was the central event in Greek history.

What I want to stress, however, is not the implicit reservations in Polybius' attitude to Rome; though nothing could be more false, in my view, than the idea that, in explaining to the Greek world how and why Rome had gained universal domination, he was also recommending, or even defending, Roman rule. What is important is the fact that Polybius' *History* really is the product of his earlier experience as a central figure in the self-governing Achaean league of cities which occupied a large part of the Peloponnese. To Polybius that part of the past which mattered, that past from which lessons could be drawn, was the experience of the Greek city-states since the victory over Xerxes. It was a continuous history, all of which offered lessons and examples that were relevant to the present. Polybius would have been surprised to learn that something called the Hellenistic age had begun in 323 B.C., and that he himself was a Hellenistic historian. He would surely have supposed that he was simply a Greek one.

Notes

* First published in J. A. T. Koumoulides, ed., *Greek Connections: Essays on Culture and Diplomacy* (Bloomington, Ind., 1987), 1–18. The translations in the text are those of the Loeb edition.

1. See P. S. Derow, "Polybius, Rome and the East," *JRS* 69 (1979): 1.

2. For the decisive evidence that he had, see J. D. Ray, *The Archive of Hor* (1976), 127.

3. On Daniel, see chapter 3 in the present volume.

4. For the dates of Polybius's life, see M. Dubuisson, "Sur la mort de Polybe," *REG* 93 (1980): 72.

5. For this view, see "The Political Character of the Classical Roman Republic (200–151 B.C.)," *JRS* 74 (1984): 1–19 (= chapter 4 in F. Millar, *Rome, the Greek World, and the East I: The Roman Republic and the Augustan Revolution*).

6. F. W. Walbank, "Polybius between Greece and Rome," *Polybe* (Entretiens Hardt 20, 1973), 1.
7. See, e.g., N. G. L. Hammond, *A History of Greece to 322 BC*, 2nd ed. (1967), 651.
8. See, e.g., F. Millar, "The Phoenician Cities: A Case-Study of Hellenisation," *Proc. Camb. Philol. Soc.* 209 (1983): 54–71 (= chapter 2 in the present volume).
9. For this, see G. Nachtergaele, *Les Galates en Grèce et les Sôtéria de Delphes* (1977).
10. For this theme, see esp. J. K. Davies, *Democracy and Classical Greece* (1978), chap. 8.
11. H. Bengtson, *Griechische Geschichte*⁵ (1977), 295ff.
12. For his explicit allusions to Plato and Aristotle, see the Teubner ed. by Th. Büttner-Wobst, 5, 238 (Aristotle) and 242 (Plato).
13. See F. Millar (n. 5).
14. E. J. Bickermann, *Institutions des Séleucides* (1939); C. Préaux, *Le monde hellénistique I–II* (1978), 181–294.
15. H. H. Schmitt, *Die Staatsverträge des Altertums III* (1969), no. 536.
16. See esp. F. W. Walbank, "Polybius and Rome's Eastern Policy," *JRS* 53 (1963): 1.

CHAPTER SIX

The Greek City in the Roman Period



This paper will concentrate on the imperial period, the first three centuries A.D., when “the Greek city” is more visible to us than at any other time. For it is from this period that the vast majority of the surviving remains of Greek cities date; it was in these centuries, except for the last few decades, that the largest number of Greek cities struck coins; and, above all, it was in this period that the Greek cities provided the fullest expression of their own communal identity, through the medium of inscriptions. Although there are cities, such as Athens, Ephesus, Miletus, and others in Caria and Lycia, which provide substantial numbers of Hellenistic inscriptions, in almost all cases there is a sharp decrease in the extremely troubled period of the first century B.C., the time of the Mithridatic wars and the Roman civil wars, largely fought on Greek soil. The victory of “Imperator Caesar Divi filius” (that is, “Imperator Caesar son of the deified [Julius]”), soon to add the name “Augustus,” both allowed and stimulated the production of public inscriptions on an unprecedented scale. In this sense the Augustan regime marks an epoch in the history of Greek inscriptions which is almost comparable to that which it certainly signals, as Géza Alföldy has shown, in the history of Latin epigraphy.¹ In the inscriptions, as in the coins and in the physical and monumental structure of the Greek cities, the person, that is, the name and the image of the emperor, was to play an essential role.² How Greek cities expressed their complex relationships to the new line of individual rulers is one of the central aspects of what “the Greek city” of the imperial period was.

In a wider sense, however, the expression “the Roman period,” as regards the history of Greek cities, covers a far larger time scale, which begins centuries earlier and continues several centuries later than the High Empire. The Greek expansion into Italy, Sicily, and the coasts of Gaul and Spain in the archaic period had meant that from the very beginning Rome belonged on the fringes of the Greek world. Caere (Agylla), a few kilometres from Rome, was adopting the custom of the Greek *agōn* (contest), as a form of expiation, in the middle of the sixth century.³ At the end of that century, as a detailed Greek

narrative preserved by Dionysius of Halicarnassus records, the tyrant of Cumae, Aristodemus, played an important role at the time of the expulsion of Roman kings and in conflicts with the Etruscans.⁴ Similarly, Roman contacts with Massilia go back at least to the early fourth century, when spoils from the Gauls were deposited by the Romans in the Massaliote treasury at Delphi, and when Justin claims that there was already a treaty between Massilia and Rome.⁵ Already in the next couple of centuries, Greek cities were presented with the problem of how to construe the identity of the Romans, the significance of their claimed descent from Aeneas, and thus the nature of their relationship to themselves. These questions are, of course, already explicit in the famous inscription of the 190s B.C. from Lampsacus, describing an embassy to Massilia and then to Rome, to claim protection (against Antiochus III) on the basis of a mythical common descent.⁶ Other elements of the mythical identity of Rome are reflected in a more recently found inscription of about the same date from Chios, recording the creation there of a monument representing “the founder of Rome, Romulus, and his brother Remus.”⁷

By that time of course all the Greek cities of Italy had become *socii navales* (allies providing Rome with warships) of Rome, while one, Posidonia, had been re-founded as the Latin colony (*colonia*) of Paestum, and another, Dicaearchia, as the Roman colony of Puteoli.⁸ The Greek cities of Sicily had provided the battleground for the First Punic War;⁹ while in the Second the kingdom of Hiero had come to an end, Syracuse had fallen, and the whole island had become a Roman province, with a complex network of statuses and obligations, later to be illuminated by Cicero’s speeches against Verres.¹⁰ The history of the later Greek city under Roman rule in the West—on the Mediterranean coast of Spain, on the coast of Gaul (Massilia with Nicaea and Antipolis), in Italy (above all Neapolis, still a major centre for Greek festivals in the imperial period), and in Sicily—is a major historical topic, which cannot be properly treated here. It need only be stressed, as regards the complex relations of the wider Greek world to Rome in the Hellenistic period, that this area, though certainly marginal, was never unknown or irrelevant. In Livy’s narrative of the year 199 B.C., for instance, we read how a meeting of the Aetolian league was addressed by ambassadors from Macedon, who reminded the league that Syracuse, Messina, Lilybaeum, Regium, Tarentum, and Capua were all now subject to Rome.¹¹ By the time that Livy was writing Diodorus had already given the history of Greek Sicily, from

the earliest times to his own day, a central place in his universal *Bibliotheca*;¹² while if any Greeks had ever been disposed to read Latin, they could have studied the most “Hellenistic” of all universal histories, the *Historiae Philippicae* of Pompeius Trogus, a Vocontian who surely owed his historical culture to the influence of Massilia.¹³

This is not the place to rehearse the conclusive steps which gave Rome a central place in the Greek world: first, the suppression of the revolt of Andriskos, the defeat of the Achaean league, and the establishment of the province of Macedonia, including Greece proper; and, then, the end of the Attalid kingdom and the formation of the province of Asia. But for how a Greek city would manage its dealings both with Roman governors and with the political institutions of the city, a central place will now be claimed by the two vast inscriptions from Claros, published by Louis Robert (posthumously) and by Jeanne Robert.¹⁴ These two inscriptions, neither complete, of the last third of the second century, still come to 275 lines (that for Polemaios) and 159 lines (for Menippos) and provide by far the most complex and detailed picture so far available of Greek cities in the period of the transfer of power from the Attalids of Pergamum to Rome. Out of many details, only one need be noted here: that by gaining the friendship of leading Romans Polemaios was able to benefit his fellow citizens (of Colophon) by creating for his native city relations of patronage (*patr* ⲙ *neiai*, in the plural) with the “best men.”

As regards the first century B.C., we should not forget the small Greek cities which lined the coast of Illyricum, for instance, Issa and its colony Tragurion, whose embassy to Julius Caesar at Aquileia is recorded in an inscription.¹⁵ Or, on the opposite shore of the Mediterranean, the Greek cities of Cyrenaica, which were abandoned to fend for themselves for several decades after Ptolemy Apion had left his kingdom to the Roman people in 96 B.C. This interval of involuntary independence is now brilliantly illuminated by an inscription from Berenice: after the death of the king the city was first besieged by *kakourgoi* (wrongdoers), and then, being unwallled, was twice sacked by pirate fleets. Very typically, the inscription is in fact in honour of a local benefactor, Apollodorus, who apart from his military role seems also to have gone on an embassy to the Roman Senate.¹⁶

A very similar situation, of acute political and military danger, necessitating political and military action to seek protection, or at least benevolence, from wherever it could be found, is reflected in the

famous inscription from Dionysopolis on the Black Sea honouring a citizen named Acornion; he had performed ceremonials during the stay there over the winter (probably 62/1 B.C.) of C. Antonius, had been on an embassy to Burebista, “first and greatest of the kings in Thrace,” in the interests of his city, and had also been sent by Burebista as ambassador to Pompeius at Heraklea Lynkestis. There he had taken the opportunity to represent the interests not only of the king, but also of his city. As its benefactor, in a way which was becoming a prime function of the communal institutions of the Greek city, he was to be honoured with a crown each year at the Dionysia and with a statue at the most conspicuous point in the market-place (*agora*).¹⁷

The story could be paralleled many times over in the complex, disturbed, and violent relations of the cities of the Black Sea region with local kings and dynasts, with Mithridates, and with the Romans. But if we are to think of what the “Roman peace” brought by Augustus really meant, one essential starting point is the whole succession of “local histories” offered by the *Geography* of Strabo. For obvious reasons of local knowledge and sympathy these gain an added force when they relate to northern Asia Minor: not only his wonderful evocation of his own city, Amaseia in Pontus (561), but also the brief vignette of the rise of Gordioucome to be the city of “Iuliopolis” (574), or his account of Sinope in the later Hellenistic and Republican period:

The city itself is beautifully walled, and is also splendidly adorned with gymnasium and market-place and colonnades. But although it was such a city, still it was twice captured, first by Pharnaces, who unexpectedly attacked it all of a sudden, and later by Lucullus and by the tyrant who was garrisoned within it, being besieged both inside and outside at the same time; for, since Bacchides, who had been set up by the king as commander of the garrison, was always suspecting treason from the people inside, and was causing many outrages and murders, he made the people, who were unable either nobly to defend themselves or to submit by compromise, lose all heart for either course. At any rate, the city was captured; and though Lucullus kept intact the rest of the city’s adornments, he took away the globe of Billarus and the work of Sthenis, the statue of Autolycus, whom they regarded as founder of their city and honoured as god. The city had also an oracle of Autolycus. He is thought to have been one of those who went on the voyage with Jason and to have taken possession of

this place. Then later the Milesians, seeing the natural advantages of the place and the weakness of its inhabitants, appropriated it to themselves and sent forth colonists to it. But at present it has received also a colony of Romans; and a part of the city and the territory belong to these.¹⁸

Nothing could more accurately convey the sense of a long tradition, a period of acute danger and disturbance, the value placed on public buildings, or (in this case) the impact of Roman colonisation.

Equally significant, if sometimes more confused geographically, is Strabo's account of the Phoenician cities: their extremely varied fortunes during the progressive break-up of the Seleucid kingdom; the rise here too, as in Syria proper, of a generation of local tyrants, finally suppressed by the Romans; and the imposition of the Roman peace.¹⁹ In the case of Phoenicia Strabo makes a direct and unmistakable connection between the disorders of the first century B.C. and the establishment in 15 B.C. of the colony of Berytus—*Colonia Iulia Augusta Felix Berytus*, which was to be perhaps the only established “island” of Latin culture in the whole of the Greek world of the eastern Mediterranean.²⁰

In spite of all the problems which its composition raises, the *Geography* of Strabo cannot but serve as the most important picture which we have of the Greek world as it was when imperial rule began. Precisely two of its most important functions are, firstly, to recall how the present situation of each place could be seen in the context of a distant, often mythological, past; and, secondly, to record how so many places had faced violent external threats and internal disturbances in the first two-thirds of the first century B.C. In the established Empire it is in general true that cities, when they collectively recalled the past, tended to avert their gaze from the Hellenistic and early Roman periods, to focus on mythological origins and (if they could) on the classical past.²¹ Strabo is closer in time to the most troubled period, and therefore all the better evidence for how much the imposition of peace really meant.

One place of which Strabo makes only two passing mentions is Aphrodisias in Caria.²² It ought to have attracted his attention, however, for it too had taken part in the military conflicts of the first century. In 88 B.C., when the two communities of the “Plaraseans” and the “Aphrodisieis” still formed a joint political unit, their people (*dēmos*) had decided to march out, accompanied by *paroikoi* and slaves, to help Q. Oppius, besieged by Mithridates in Laodicea.

Whether or not they had ever arrived (or had contrived not to arrive in time?), they had taken care, when Oppius was released after the Peace of Dardanus, to remind him of their loyalty, and to seek his patronage (*patr̄onēa*), which he granted; he would also, he wrote, speak in their favour before the Senate and People when he reached Rome. In the Triumviral period the city gained both a treaty (*orkion*) and a long decree of the Senate (*senatus consultum*), of 39 B.C., with provisions for its free status. Everything was owed, as is quite clear, to the identification of the Aphrodite whose temple stood there with Venus, as the mythological ancestress of the Julian house. But the locus of power in Rome was changing. When the new ruler wrote (whether before or after 27 B.C. is uncertain) to tell the Samians that the privilege given to the Aphrodisians was unique, he said “You yourselves can see that *I* have given the privilege of freedom to no people except the Aphrodisians.”²³ Such rights could now be seen as being at the personal disposition of a monarch.

These inscriptions are of crucial importance for understanding the Greek city of the imperial period. Firstly, as inscriptions, they *are* in fact of the imperial period. The two relating to Oppius were cut in the second century A.D.; the long series from the Triumviral period belong to the “archive wall” on the *parodos* (entry passage) of the theatre and date, as inscriptions, to the first half of the third century. Aphrodisias had in fact no classical, still less archaic or mythological, history, but had emerged as a privileged community in the last decades of the Republic. Here at least, that troubled period was not forgotten, and could not be. How significant was it, for a Greek city of the second century A.D., that such a re-cut inscription might serve to remind its citizens of one essential role of every city community of the archaic, classical, and Hellenistic period which it had now lost, namely its military function? In that respect, even if Platea might send off a contingent to assist Marcus Aurelius on his northern campaigns,²⁴ there could be no continuity with the Greek city of before the Augustan peace. Or might there be, none the less? The poorly recorded history of the third-century invasions shows that some cities might indeed resume their ancient military role.²⁵

Equally significant, the archive from Aphrodisias is one reflection of the range of privileged statuses which emerged out of the conflicts of the late republican period, when cities sought the favour of Rome, while Rome, equally, used all possible diplomatic means to alleviate the effects of brutal oppression and exaction by grants of alliances and

favours. The cities of the Greek world in the imperial period might therefore retain one or more of the following rights. (It would be extremely difficult to state what combinations of these rights were normal, or how common it was for one to be enjoyed without the others.) The possibilities were: a treaty, as enjoyed by Aphrodisias and also (for instance) by Tyre, as Ulpian's well-known celebration of it recalls;²⁶ *libertas* (freedom), meaning, as the imperial documents from Aphrodisias put it, that the city was "exempt from the *typos* [formula] of the province." This certainly implied exemption from the jurisdiction, and the personal visits, of the governor; but it does also seem, as is shown in Hadrian's letter to Aphrodisias, to have carried with it exemption (*immunitas*) from Roman taxation. It is not, however, possible to assert that these two latter rights could never be dissociated.²⁷

Finally, there was the status of Roman colony, which almost certainly, in this early period, carried with it automatically exemption from all forms of direct taxation, what the lawyers were later to label *tributum soli* (land tax) and *tributum capitis* (poll tax). At the moment of Actium, Roman colonisation was still a minor phenomenon in the Greek world. The known cases are Tauromenium, probably in 36 B.C.;²⁸ Corinth, re-founded in 46 B.C.; Philippi, made a colony in 42 B.C.; Cassandrea; Buthrotum; probably Dium; Lampsacus; possibly Alexandria Troas and Parium; Apamea in Bithynia; briefly Heraclea Pontica; and Sinope (see above).

There are many uncertainties in the list, which would be considerably lengthened if we added the certainly Augustan colonies. The most notable of these are, firstly, a group in Sicily; secondly, Berytus (see above); and, finally, the important series in Pisidia and neighbouring regions.²⁹ We will look later at the very significant process, characteristic of the established Empire, by which emperors came to grant the title of colony to Greek cities, without the settlement of actual colonists; for even this involved a transformation of the formal structure and constitution of each city, and (in theory at least) the public use of Latin.³⁰

The "real" colonisation of the Caesarian, Triumviral, and Augustan period (the only major period of colonisation outside Italy in Roman history) should be stressed, however, for it combined with two other very well-known processes to produce marked changes in what we understand as "the Greek city": these are of course the widespread private emigration to the provinces by Roman citizens from Italy, and

their settlement in Greek cities; and the steadily increasing scale of the granting of Roman citizenship to individuals, and hence to their descendants, in the Greek cities. It is not necessary here to accumulate references to modern studies of these two processes; but it may be noted simply that our knowledge of both, as regards the imperial period, is very largely a function of the sudden explosion of the “epigraphic habit,” referred to above.

Taken all together, however, these processes, along with others to which we will come, meant that “the Greek city” of the imperial period would be more correctly described as “Graeco-Roman”: that is, as a fusion or *mélange* of languages and constitutions, types of public entertainment, architectural forms, and religious institutions. The role of colonisation within this process of fusion has perhaps not been sufficiently stressed, so an example will be given from a series of second-century inscriptions from the colony of Cremna in Pisidia. In principle of course, colonies were supposed to use Latin in their public life. An important Augustan inscription from the colony of Alexandria Troas indeed shows this rule in operation. It honours C. Fabricius Tuscus, *duovir* (one of the two annual magistrates) and *augur* (priest) in the colony, who apart from a long list of military functions had been “prefect . . . in charge of public works carried out in the colony by order of Augustus” (*praef(ectus) . . . operum quae in colonia iussu Augusti facta sunt*); the inscription was put up *d(ecreto) d(ecurionum)* (by a decree of the senators).³¹

Elsewhere, however, and no doubt in Alexandria Troas too with the passage of time, Greek tended to reassert itself, while still being deployed to express those new and distinctive institutions which had been created by the establishment of the colony. Hence for instance there is a group of inscriptions from Cremna, which come from a series of statue bases, of Herakles, Nemesis, Athena, Hyg(i)eia, and Asklepios, put up by the colony.³² One example will suffice to illustrate the fusion of languages and concepts involved:

τὸν Ἡρακλέα
 ἢ κολωνία
 δυνανδρία(ι)ς πενταετηρικῇ[s]
 τῶν ἀξιολογωτάτων Φλα.
 Αουιδίου Φαβιανοῦ Καπιτω-
 νιανοῦ Λουκίου καὶ Ῥοτει-
 λιανοῦ Λογγιλλιανοῦ
 Καλλίππου

The colony (honour) Herakles at the time of the quinquennial duovirate / of the most worthy Flavius / Avidius Fabianus Capito / nianus Lucius and of Ruti / lianus Longillianus / Callippus.

The deities honoured are all addressed in purely Greek names. But otherwise the names of the *duoviri*, Flavius Avidius Fabianus Capitolianus Lucius (?) and Rutilianus Longillianus Callippus, are almost entirely Latin, using both the lengthened *-anus* forms and the extended combination of names characteristic of the later imperial

period. *Colonia* is duly transliterated as *κολωνία*. . More than a century and a half after the foundation of the colony, Cremna could not be characterised either as “Greek” or as “Roman”; for it was evidently both.

Colonisation was, however, a relatively isolated example of a positive measure taken by Rome which had the immediate effect of introducing Roman, and Latin, elements into a Greek social and cultural environment. Paradoxically, it was far outweighed in its effects by the creation of new Greek cities, both by emperors and by dependent kings; foundations by both often had mixed, Graeco-Latin, names borrowed from those of the ruling imperial dynasty. The first and most prominent of the imperial foundations was of course Nicopolis, founded to commemorate Actium, created by the concentration of population, involving a re-distribution of votes in the Delphic amphictyony (the group of cities with rights at the shrine), and giving rise to a new and central element in the circuit of Greek athletic and theatrical festivals, the “Actia.” It seems to be as early as the 20s B.C. that we have the first reflection of this new element, in the inscription from Pergamon recording the victories of Glycon at the

Olympian, Pythian, Actian, and Nemean games.³³ But in spite of its name, and its new role among Greek cities, it can be argued that Nicopolis was a double community, both a Greek city and a Roman colony, not physically distinct.³⁴

If it were really so, it was a rare case. More commonly, both emperors and kings spread over the map of the Greek world an ever-denser network of Greek cities, whose Greek names incorporated Latin, that is, (almost always) imperial, personal names. It is superfluous to give more than examples, since the process was detailed with remorseless care by A. H. M. Jones: Sebast^ē, Caesarea, Tiberias, Germanicia, Claudiopolis, Flaviopolis, Flavia Neapolis, Traianopolis, Marcianopolis, Hadrianopolis and Hadrianoutherae, and so on to Philippolis and two places called Maximianopolis, a Diocletianopolis, and of course Constantinopolis itself.³⁵ The real nature of such re-foundations cannot be pursued further here, for only very detailed local examination would serve to make clear how far in each case urbanisation, in various forms, had preceded the creation of the “new” city, and how radical the changes in local social structures were. We cannot always distinguish a new foundation, and the creation of a new urban structure, from the mere acquisition of a new imperial name, as when Palmyra became “Hadrian^ē Palmyra”; or be certain as to how much new building accompanied any such transformation, or what role was played by imperial initiative and benefaction.³⁶ What is clear in two well-known cases is that an imperial decision to grant the status of city to an existing community could be a response to initiative from below. Hence the letter, in Latin, addressed to a governor by an emperor whose name is lost, agreeing that Tymandus in Pisidia has fulfilled the criteria for achieving city status; in this case the availability of sufficient persons (fifty, initially) to act as *decuriones* (members of a local senate), pass decrees, and elect magistrates.³⁷ Different criteria are set out by Constantine in allowing the claim of Orcistus in Phrygia: its previous possession of the rank of *civitas* (a city status), its location at the meeting place of four roads, a well-watered site—and the fact that the population are Christian.³⁸ Both imperial communications embody a general statement of favour towards the creation of new cities (*civitates/poleis*), without allowing us to determine on whose initiative such a creation normally depended.³⁹

The question of construction, urban development, and architectural techniques will also not be pursued further here, except to emphasise

that it was not merely colonies which we would do better to characterise as “Graeco-Roman” rather than as “Greek” cities. For even the “Greek” cities tended to exhibit a range of “Graeco-Roman” features: theatres, usually of the “Roman” type with a raised stage; temples on a raised podium, with a frontal axis; occasional amphitheatres; and more often perhaps theatres adapted to accommodate gladiatorial shows or wild-beast hunts; baths and colonnaded streets—all these represented a language of urbanism and public architecture which was shared with the generally less developed cities of the Latin-speaking West.⁴⁰

Nor is it necessary to review here the administrative and political aspects of the role of Greek cities within the Roman Empire, or their internal constitutional and financial structure. It may be sufficient to note that the independence of the last fully self-governing *koinon* (league of cities), that of Lycia, was removed by Claudius in A.D. 43, when the area became part of the new province of “Lycia et Pamphylia.”⁴¹ The *koinon* itself continued, though with features which made it not entirely typical of the “provincial” *koinon* familiar from other areas; nothing of significance can yet be added to the study of these by J. Deininger.⁴²

As regards individual *poleis*, it is beyond question that, while the formal constitution found almost universally was that of magistrates (*archontes*), council (*boulē*), and people (*dēmos*), the council was normally now a body whose members retained their position for life, and represented the upper class of the community; it is also noticeable, as we have seen, that it was assumed that the prospective council (*curia*) of Tymandus would be responsible for electing magistrates. A tendency towards oligarchic regimes determined by class and wealth is thus undeniable, without its being demonstrable, except in the case of Pontus and Bithynia, that such a non-democratic regime was actually instituted by Roman regulation.⁴³ The question of for how long the assembly of the people (*ekklesia*) of a typical *polis* continued to meet, and what real powers it will have exercised, would deserve further examination. What is in any case certain about the Greek, or Graeco-Roman, city of the imperial period is the central place occupied by the council (*boulē*). That essential role is mirrored by the vast range of archaeological evidence for city council houses (*bouleuteria* or *curiae*), collected and assessed for the first time by Jean-Charles Balty.⁴⁴

In any case the broad themes of the political functioning of the

Greek cities, treated in the great work of A. H. M. Jones, have more recently been re-examined, as regards the period between Augustus and Severus Alexander, in a masterly study by Maurice Sartre.⁴⁵ It is particularly valuable that Sartre has been able to place the “Greek city” of this period within the framework both of the geographical and administrative evolution of the Empire on the one hand, including the role and progressive disappearance of “client kingdoms,” and of a series of regional studies on the other. The areas treated are Greece and Macedonia; Thrace and Moesia Inferior; Asia Minor; Syria and Arabia; Judaea (and the Jewish diaspora); and Egypt. The Greek cities of the western Mediterranean and the Adriatic thus inevitably remain outside his brief. So, more regrettably, do those of the Bosphoran kingdom, which have produced a substantial crop of inscriptions;⁴⁶ those of Cyrene, whose inscriptions have yet to be collected in a corpus, but which include important items, for instance of course the five “Cyrene edicts” of Augustus; and letters of Hadrian and Antoninus Pius on membership of the Panhellenion, and on the question of where jurisdiction should be given by the proconsul of the geographically divided province of Crete and Cyrene.⁴⁷

For obvious reasons the Greek cities of the Parthian Empire also lay outside the scope of Maurice Sartre’s work. The available evidence on Seleucia on the Eulaeus (Susa), Spasinou Charax (Mesene), or the cities of Babylonia, notably Seleucia on the Tigris, as they were in the first three centuries A.D., has not increased greatly in recent years.⁴⁸ Nor has much greater attention been paid to those places which in the second and third centuries were incorporated in the Roman Empire. The most notable is of course Dura-Europos, the study of which, as it was both in the Parthian and the Roman periods, has been gravely hampered by the failure to produce a corpus of its inscriptions, in an unprecedented range of different languages.⁴⁹

Somewhat more progress has been made with the Greek cities produced by Hellenistic colonisation in northern Mesopotamia. Long part of the Parthian Empire, they came under Roman rule with the conquests of Septimius Severus in the 190s, and many then underwent a rapid transformation into Roman colonies, producing documents in an inextricable *mélange* of Greek, Syriac, and Latin.⁵⁰ Like the “Greek cities” of other regions, they were carefully treated in A. H. M. Jones’ great survey; but both their character as self-governing “Greek” cities and their bilingual Syriac/Greek culture render them mysterious, if extremely interesting, and their history will not be pursued here.⁵¹ But

it should be noted that the history of this region is now illuminated by the publication of a new archive of Greek and Syriac documents from the Middle Euphrates of the 230s to 250s.⁵²

This rapid sketch is intended only as a reminder that, fundamental as Maurice Sartre's *L'Orient romain* is, its programme is dictated by the geographical shape of the Roman Empire up to 235; if its subject had been not "the Roman Orient" but "the Greek city," it would have been relevant to explore some more marginal zones of the existence of the "Greek city"; perhaps "the frontiers of Greek city life" might be a topic, another day, for a different colloquium.

As it is, it is inevitable that if we try to characterise the most salient features of the Greek city of the Roman imperial period, we should focus on the central zone, Greece (Achaea) itself, Macedonia, the province of Asia, Pontus and Bithynia, Lycia, and to a lesser extent the other provinces of Asia Minor. Our conceptions are necessarily dependent on the survival of literature which illuminates these places, the presence of substantial bodies of inscriptions, and the existence of physical remains. In large and important areas when substantial numbers of "Greek cities" were to be found, such as central Asia Minor or the Near East west of the Euphrates (the Roman provinces of Syria, Judaea/Syria Palaestina, and Arabia), these conditions are only partially present, and historical study is only now beginning to bring some aspects of social and cultural history into focus.⁵³

None the less, there is one medium by which the Greek cities of the Roman period, in all areas, expressed their identity, and whose products are available to us in vast numbers, and independently of the types of evidence mentioned above. This is of course the coinage of the cities, whose significance requires some emphasis. Ramsey MacMullen's phrase "the epigraphic habit" has justly established itself as a key element in our perception of the Roman Empire and its cities.⁵⁴ For the sheer scale of communal and individual self-expression through the medium of public writing in permanent form is one of the most striking features of imperial city culture. But so also is the profusion of coinage, with the extra dimension that it involved the selection of visual images to accompany the (inevitably brief) written legends. The figures are remarkable: more than 530 Greek cities or city leagues (*koina*) minted coins at one time or another, in the first three centuries of the Empire, and the largest total for a single reign was reached under Septimius Severus (A.D. 193–211), namely something over 360.⁵⁵ The result is an extraordinarily rich repertoire

of images-plus-legends deployed to express the collective identity of cities; to portray and sometimes name the deities which were important to them; and on occasion to commemorate recurrent events, such as festivals, which played a central point in their collective existence, or individual events, such as visits by emperors. It is important to stress that the city coins, almost all only in bronze, were produced discontinuously; their strictly economic function, and their role within the framework of properly “Roman” coinage, in gold, silver, and bronze, awaits serious analysis. More important is the conclusion which has to be drawn from the late Konrad Kraft’s study of the coinage of Asia Minor.⁵⁶ He showed that the same workshop (however we might imagine the physical reality of a “workshop”) might produce coins for two or more different cities. We cannot therefore speak of “the mint” of Ephesos, or of any other city, but only of *coins* “of” Ephesos; and this term can be used legitimately only where the city (or rather community; see below) concerned is explicitly named. Deductions of the form that (for instance) silver tetradrachms struck under Caracalla, but naming no city, were produced by “the mint of Laodicea,” because the types resemble those on coins of Laodicea, are wholly illegitimate.⁵⁷ We have no basis for imagining the existence of stable city “mints”; all that we can know is the coins themselves, as extremely explicit and—in artistic terms—often very refined and beautiful expressions of collective identities and values. How, where, and by whom they were actually produced or manufactured is a matter of speculation.

Until recently the best introduction to these coins, the “Greek Imperials,” has been in a well-illustrated study by K. Harl of the Greek city coinages of the period from A.D. 180 to their complete disappearance in approximately the third quarter of the third century.⁵⁸ It is a pity that this fine study, consistently trying to set this coinage in a wider social and ideological context, does not attempt to explain the reasons for its disappearance (other than the depreciation of the imperial silver coinage) or the economic effects of the cessation of local minting. But for the latter question it would be necessary to distinguish *minting*—the production of new coins—from *circulation*—the use as a medium of exchange of coins of various origins and dates.

If the economic effects of this great change are highly uncertain, the abandonment of local coining cannot fail to be seen as the loss of a crucial means of self-expression by several hundred Greek cities. In the longer term, it can be taken as an aspect of the transformation of

later Greek cities from pagan communities, symbolised above all by images of their deities and of the temples which housed their cult statues, into Christian communities under bishops. But since city coining was never to revive, no Greek city in the Roman Empire ever had occasion to adorn its coins with Christian images or legends.

Our knowledge of city minting in the early part of the period, from circa 44 B.C. to A.D. 69, has been transformed by the publication of the first two parts of a really major project, *The Roman Provincial Coinage*.⁵⁹ For the first time *all* the provincial coinages of the first century of the Empire have been assessed and catalogued; further volumes (how many?) will carry the story to the cessation of minting in the later third century.

It is too early to assess in any detail the significance of this already gigantic contribution, which at a stroke transforms our ability to envisage the Roman Empire from the standpoint of hundreds of separate provincial communities. But three features stand out. Firstly, the scale and geographical range of coining. In the first two-thirds of a century of the Empire local communities in Spain and Africa might also produce coins. But by the reign of Claudius (A.D. 41–54) they fall silent, and coinage becomes one of a range of ways in which the Roman Empire gave, or allowed, a specially privileged status to Greek cities. Beyond that, the number of Greek cities producing coins increased rapidly in the third century, to reach (as mentioned above) a maximum of more than 360 under Septimius Severus. At that moment it was at least one-and-a-half centuries since any community which was not Greek, and which belonged to the Roman Empire, had minted its own coins. The exception proving the rule is of course the Hebrew coinage of the Jewish revolt and the Bar Kochba war; but at those moments, each prolonged for several years, the community concerned did not “belong” to the Empire.

The second feature which is (almost) all-pervasive is the name and image of the reigning emperor. Except where local eras were used, it is of course precisely the presence of this name and image which allows us to arrange the coins of any one community in a temporal sequence. The naming and portrayal of the emperor is not universal: there is a large category of city coins from all areas of the Greek East in which other images (most often of gods) and legends are substituted for the portrait and name of the emperor. Such coins are conventionally labelled “pseudo-autonomous,” on the presupposition that they embody some special privilege, or special degree of freedom

from Roman control: but none such can in fact be identified. None the less, it is surely significant that Tyre is both the only “Greek city” in the Empire which continued to use some non-Greek (Phoenician) letters on its coins right up to the moment of its transformation in the 190s into a Roman colony; and that it was one of only three cities (the others being Chios and Athens) which never (up to the same point) named or portrayed the reigning emperor on its coins.⁶⁰

The presence of the name and the image of the emperor has to be taken as one of the dominating features of the collective life of the Greek city in the imperial period. This applies, as noted above, very widely to the names of the cities themselves, and not merely to those transformed into Roman colonies; to the personal names of individual citizens, in which the family names (*nomina*) of successive ruling houses—“Iulius,” “Claudius,” “Flavius,” “Ulpian,” “Aelius,” “Aurelius,” “Septimius”—were ever more prominent, transliterated into their Greek forms; to the cults and temples of the emperors, reigning or deceased, and individual or collective (“the *Sebastoi*”); to the identities of public buildings, like the “Hadrianic Baths” revealed at Antioch in Syria by a new document of A.D. 245;⁶¹ to the names of months in city calendars; to the names of tribes or other sub-units of the communities; to the names of festivals; to the actual clothing of *agōnothētai* (president of games) or *archiereis* (high priests; see below); to the presence of honorific statues of emperors and members of their families; and to the prominence of inscribed letters from emperors, written in Greek, and of other inscriptions recording privileges granted to individuals by emperors. It is not too much to say that the public self-expression of the “Greek city” in the Empire embodied at every level an explicit recognition of the distant presence of the emperor. When the emperor travelled, that presence might become real; but our evidence, however biased, is enough to show that a real, concrete connection between city and emperors was maintained far more intensively by the constant traffic in embassies, whether on diplomatic missions or in pursuit of requests or disputes, to bring city decrees before the emperor, address him in person, and bring back a letter in Greek in reply.⁶² As we see in the case of a letter of Caracalla of A.D. 213, even an imperial letter to an individual, referring to the obligations to his *patrís* (home city) on the part of another individual, might be “read out in the theatre,” in this case that of Philadelphia in Asia.⁶³

The purpose of doing that was of course to publicise it before the

citizens, meeting in the theatre, “where it is their custom to take counsel,” as Tacitus wrote of the Antiochenes in Syria.⁶⁴ When aroused, the citizens might even gather spontaneously in the theatre, as Acts represents the *Ephesioi* doing when provoked by Paul’s teaching.⁶⁵ But these allusions reflect a much more important truth about what we call, in some ways misleadingly, a “Greek city.” A Greek city was not essentially a “place” or an urban centre; it was a community of individuals. The point is made with great clarity, but without further development, in an important chapter by Joyce Reynolds on “Cities” in the context of the administration of the Empire.⁶⁶ Thus when an emperor wrote, as we would say, “to Pergamon,” that was not in fact how he expressed himself: his letters would go to “the *archontes*, *boulē*, and *dēmos* of the *Pergamēnoi*” (to the magistrates, council, and people of the Pergamenians); or, if “to Aphrodisias,” “to the *archontes*, *boulē*, and *dēmos* of the *Aphrodisieis*” (to the magistrates, council, and people of the Aphrodisians). The point is not a trivial one, for we consistently mistranslate, and therefore misconceive, the nature of the communal attachments which gave people their identity, in the eyes of both themselves and others. Confronted with “Dionysios the *Halikarnasseus*,” we invariably write “Dionysius of Halicarnassus,” as if what he belonged to were a point on the map, but it was not; it was a community of citizens.

This point is consistently reinforced by the extremely extensive evidence of communal designations on the coinage “of cities.” Here too, we would be less liable to confuse ourselves if we called it the coinage of “communities.” The male genitive plural is by far the most common grammatical form of identification on the coins: so, to take only some cases from the index of *Roman Provincial Coinage* I “of the Aizanitai,” “of the Alabandeis,” “of the Amisoi.” There are exceptions, though they are far less common; occasionally we do find a place-name used to identify the origin of a coin. So, for example, from the same source “Amisos,” “Gadara,” “Gerasa,” “Thessalonikē.” But the fact that we now can, at least for the first hundred years of the Empire, read right across the entire local (or communal) numismatic production of the provinces is the first great service which *Roman Provincial Coinage* I rendered. In a profound sense, an important means of approach to the communities of the Empire, and to the “Greek city” above all, has been opened up for the first time.

I have placed a lot of emphasis on this material, precisely because

in this now organised and intelligible form, it is new. But the Greek city of the Empire has of course revealed itself to us primarily via inscriptions. It is impossible to sum up the wealth of information contained in the tens of thousands of Greek city inscriptions of the imperial period, which now constitute a genre of literary expression in themselves. Instead, it may be preferable to attempt to present, and bring out the significance of, a few choice examples. The two most revealing both illustrate the mass, collective character of the life of the Greek city (or community), a point heavily and correctly stressed by Ramsey MacMullen and Robin Lane Fox in their studies on the paganism of this period.⁶⁷ But they also reflect the way in which the collective ceremonials and observances of Greek communities under the Empire gave a special place to the figure of the emperor.

The first inscription comes from a relatively little-known corner of the Greek world, the modest city of Kalindoia in Macedonia.⁶⁸ With a certain poetic appropriateness, it dates from the first year of the Christian era, and thus forms a pair with a comparable inscription from Kyme, of 2 B.C.–A.D. 2.⁶⁹ Like thousands of other inscriptions of the period, the latter honours a *euergetēs* (benefactor) who had offered hospitality and public shows to the people; moreover “during the *Kaisareia* [a festival in the name of the emperor] celebrated by Asia, as he had promised, he carried out sacrifices and banquets where the flesh of the victims was consumed, having made a sacrifice of oxen to the emperor Kaiser Sebastos and to his sons and to the other gods.”

But this document, significant only for being so characteristic of the epigraphic expression of the next three centuries, is far exceeded in importance by that from Kalindoia, which presents in concentrated form, and very early, almost all the values of Greek communal life, in its relation to the Empire. It therefore deserves translation in full:

Year 148 [of the provincial era of Macedonia, A.D. 1]

The city magistrates [*politarchai*], after a preliminary resolution by the members of the council [*bouleutai*], and an assembly of the people [*ekklēsia*] being held, declared before the people [*dēmos*]:

Since Apollonios son of Apollonios son of Kertimos, being a good man and deserving of every honour, having accepted spontaneously the priesthood of Zeus and Rōmē and Caesar Augustus *divi filius* (son of the deified [Iulius]), has exhibited so much nobility, living up to the high reputation of his ancestors and of his own virtue, as to omit no excess of expenditure on the gods and his native city, providing from his own resources throughout the year the sacrifices offered monthly

by the city to Zeus and Caesar Augustus; and has also offered all manner of honours to the gods, and provided for the citizens feasting and lavish entertainment, similarly dining the whole populace, both en masse and by *triklinia* (separate dining groups), and organising the procession at the festival so as to be varied and striking, and putting on the contests in honour of Zeus and Caesar Augustus in elaborate and worthy style . . . has shown his generosity to his fellow citizens by asking from the city leave to take over the public sacrifices offered during the festival to Zeus, Caesar Augustus, and the other benefactors, and has provided them at his own expense; and having sacrificed oxen has entertained each of the citizens throughout the whole festival, by *triklinia* and on a mass basis, and made the most lavish distributions to the tribes, so that, wherever they wished to take their pleasure, they did so by his grace. Not only has he spared no expense, but he has had a statue of Caesar made at his own cost, and has offered it as a permanent memorial of the beneficence of Augustus to all mankind; he has thus provided an additional ornament for his native city, and for the god the appropriate honour and favour.

For these reasons it seems appropriate to the council and people to praise him for the enlightenment of his spirit and of his generosity towards his native city, to crown him with a wreath and to vote a stone (marble?) image of himself, of his father Apollonios and his mother Stratto; to set up the statues and the decree in whatever place in the agora the *agorothetēs* [Apollonios] chooses, in order that other citizens might be rendered eager to seek honour and to contribute generously to their native city.

When the decree was voted (by the assembly), Apollonios accepted the honour and the gratitude of his homeland, but relieved the city of the expense.

It was voted on the 14th of Daisios.

This very early inscription encapsulates almost all the key features of the public life of the imperial Greek city: the role of festivals and of public, communal celebrations; the importance of public writing and publicly placed images; the “presence” of the absent emperor, both as an object of worship and as visibly represented in his statue; and the central significance of the complex symbolic, political, and financial exchanges between leading individuals and the mass of their fellow citizens which made up the institution of euergetism. Given the early date, one element is missing: the progressive extension to the leading families in most Greek cities of the Roman citizenship, and, following

on that the acquisition by their members of positions in the equestrian service and the Roman Senate. This steady evolution, known to us almost entirely through honorific inscriptions put up by their native cities, is familiar, and need not be re-examined here.⁷⁰ The effect was, firstly, that in all cities the ruling circle of office-holders and members of the council showed a steadily increasing proportion of Latin names, normally in the standard triple Roman form of *praenomen*, *nomen*, and *cognomen* (the latter very frequently still a Greek name); and with that, in principle at least, the application to their family structures and property relations of Roman private law (for instance, the father's legal authority over his extended family known as the *patria potestas*). But neither the rules of the pre-existing private law of the Greek cities nor the real extent of the currency of Roman private law can be easily understood.⁷¹ The spread of the Roman citizenship to individuals, and hence families, culminating in the *Constitutio Antoniniana* (the universal grant of citizenship made by Caracalla in 212), was however yet another respect in which the "Greek" city of the imperial period was in reality "Graeco-Roman." A secondary effect was that those persons who served as equestrians or senators "belonged" not only to their native cities, but also to a much wider world, whose varied regions might be represented before their fellow citizens in the record of the places where they had served, incorporated in inscriptions put up in their honour.

The processes touched on above might have led to a wholesale loss, or even suppression, of the historical identities of Greek cities, and their absorption into an undifferentiated Graeco-Roman culture and outlook; or on the contrary, to a clear ideological "resistance," and to a reassertion of historic identity; to actual armed resistance on the part of cities or regions; or, perhaps, to a claim to Greek dominance within that Graeco-Roman world on which the Empire had imposed so high a degree of unity. As regards the last possibility, we have seen above that it was indeed the case that Greek cities enjoyed privileges, like coinage, or the fact that emperors and governors paid them the compliment of addressing them systematically in Greek, which did indeed mark them out from the urban communities of the West. But their status was thereby explicitly recognised, and no Greek cities, or groups of cities, offered any parallel to the major Jewish revolts of A.D. 66–74 and 132–35. It was however not merely a strategic shift towards the eastern frontier which meant that Constantine's new capital would be situated in the Greek world, on the route between the Danube and Euphrates, and would have a Greek name. It was also

a symbol of the fact that in the end *Graecia capta* did indeed imprison her captor.

As regards the first possibility, the signs of any real loss of cultural identity were indeed very few. Latin literature, for instance, seems to have gained extraordinarily little currency in the Greek East; and there is no certain evidence even of the translation of Virgil until Constantine included part of a Greek version of the *Fourth Eclogue* in his *Address to the Assembly of the Saints*.⁷² Roman law, however, as taught in the schools of the Roman colony of Berytus, did, from the third century onwards, act as a magnet for the youth of the Greek cities.⁷³ Looking in the reverse direction, it is of real significance that the history of Rome is largely “constituted” for us by Greek writers of the imperial period, Dionysius from Halicarnassus, Plutarch from Chaeronea, Appian from Alexandria, and Cassius Dio from Nicaea.⁷⁴ The latter three were all Roman citizens, the middle two of equestrian rank and the last-named a senator and consul.

None the less, the most interesting and significant new items of evidence, or new studies of already-known evidence, of the last few years have tended to show a reassertion of historic and mythological identity in the framework of the collective life of the Greek city. But this cannot properly be seen as a movement “against” Rome (and here again the contrast with the two great Jewish revolts is fundamental). The most systematic of all these reassertions, indeed, the Panhellenion, was the work of the emperor Hadrian.⁷⁵ In more specifically local contexts, the symbolic and communal assertion of a city’s identity will have been the work of its local governing class—but in the cases known to us this was a class in which the Roman citizenship, and even Roman office-holding, were already widespread. At Athens indeed, there are clear indications that actual Roman office was not sought as frequently as elsewhere. None the less, the Roman citizenship was common among the upper classes, and the resistance to the Herulian invasion of the 260s was led by a member of a family which had long held the citizenship, Herennius Dexippus.⁷⁶ Athens remained, even after the Herulian invasions, a major Hellenic centre. But the most systematic communal re-creation, or re-enactment, of the past which modern study has revealed was that at Sparta. Spawforth’s study has shown, however, that this re-creation, whose salient features drew tourists from all over the Greek world, did not really reproduce at all precisely the institutions of archaic and classical Sparta, and was the work, as elsewhere, of a local elite among whom the Roman

citizenship was increasingly common. Note for example the inscription of the early third century in which a group of his *synarchontes* (fellow magistrates), all with Roman names, honour “Pop(lios) Mem(mios) Pratolaos also called Aristokles Damarous, *aristopoleiteutēs* [best citizen], for his protection of the Lykourgan customs, and his benevolence towards them.”⁷⁷

An equally vivid picture of the communal evocation of tradition is provided by Guy M. Rogers’ analysis of the foundation of Vibius Salutaris in early second-century Ephesos.⁷⁸ Salutaris was of course a Roman citizen and equestrian office-holder; the route of the procession which his foundation instituted would take the participants down streets which had been completely transformed by monumental public building in the course of the first century A.D.; the statues to be carried included representations of Trajan and Plotina, as well as the personified Senate, equestrian order, and the Roman people; and the terms of the foundation were approved by the proconsul and his *legate*. But the prime honorand was the main deity of the city, Artemis; and the other statues included one of Enonymos, son of Kephios/Ouranos and Gaios; Pion; probably Androklos, the mythical founder of the city; and certainly Lysimachos, the early Hellenistic re-founder, as well as Augustus himself. The rituals celebrated the present as the fulfilment of a long history, not an opposition between Greek past and Roman present.

But of course the primary place among all recent work on the Greek city of the Roman period must belong to Michael Wörle’s publication of the foundation inscription of a new *agrotis* (contest), the *Diosmothenia*, set up at Oenoanda under Hadrian by a leading local notable, and Roman citizen, C. Iulius Demosthenes.⁷⁹ This almost perfectly preserved inscription of 117 lines perhaps surpasses all others in its expression of the structure and values of the imperial Greek city. I will isolate only a few features. First of all, there is something of which our evidence rarely gives so vivid an impression, the list of villages (*kōmai*), with associated *monagriai* (farmsteads?) in the territory of Oenoanda which are listed as being due to contribute cattle for sacrifice (lines 72–83). Then there is the detailed specification of the content of the various forms of competition, and the prizes to be attached to them, listed in the chronological sequence which is to be followed (lines 38–46):

1. Trumpeters and heralds. 50 denarii.
2. Composers of Prose Encomia. 75 denarii.

3. Poets. 75 den(arii).
4. Oboists. 1st prize 125 den(arii)., 2nd 75.
5. Comic Poets. 1st prize 200 den(arii)., 2nd 100.
6. Tragic Poets. 1st prize 250 den(arii)., 2nd 125.
7. Kitharodes. 1st prize 300, 2nd 150.
8. Open competition. 1st prize 150 den(arii)., 2nd 100, 3rd 50.
9. Mime-artists and acts and displays. No prizes.
10. Other acts giving pleasure to the city. 600 den(arii). in all.
11. Gymnastic competitions for citizens. 150 den(arii). in all.

The detailed specification given here makes possible, not to say imperative, a comprehensive new study of the competitive festival in the Greek world of the imperial period, in which the primacy continued to the end to be held by the ancient games of Delphi, Olympia, Nemea, and the Isthmus, together with the Actia of Nicopolis. There have been important preliminary studies: for instance the excellent collection of agonistic inscriptions published by L. Moretti in 1953; the two suggestive papers by the great Louis Robert, cited by Stephen Mitchell in his review article on Wörrle's book (with an English translation of the text); and the collection of the inscriptions relating to the artists of Dionysus in the new edition of Pickard-Cambridge on the dramatic festivals of Athens.⁸⁰ But none comes anywhere near being the full-scale study of the hierarchy of types of festival (from the major ones to the most local), as well as their geographical distribution and their allocation over the calendar, which could now be undertaken. Their geographical distribution alone would almost serve to define the world of the Greek city: from Zeugma (but *not* across the Euphrates) to Bostra (the *Aktia Dousaria*, the festival for the Nabataean God, Dousara) Gerasa, and Tyre; in Cappadocia and all of Asia Minor; in Egypt (but only at a modest local level); at Puteoli, Naples, and (from Domitian onwards, with the Greek-style Capitoline games which he founded) Rome itself; at Massilia (but also at any other western Greek cities?).

Their distribution in space was also, at least as regards the more important contests, an allocation in time, as two inscriptions from Aphrodisias explicitly state. One of them, concerned with the setting-up of a festival in a manner quite close to that at Oenoanda, seems to schedule the festival "before the [departure of the competitors] to Rome." In another, a high priest of Asia also makes regulations for a festival and lays down that it will be held "in the period between the

celebration of the Barbilleia at Ephesus and [? the provincial games] of Asia.”⁸¹

The games set up at Oenoanda, like so many others, were due to the *philotimia* (love of fame) of a local notable who was also a Roman citizen; the procedures for ratifying it involved other locals who were also Roman citizens; the terms were approved both by the governor and by Hadrian himself, whose letter opens the inscription; and images of the Emperor were to be deployed in the proceedings.

But perhaps the most telling detail in the great inscription from Oenoanda relates to the golden crown which the *ag̃̄ nothet̃ ē s* was to wear, with “relief portraits of the emperor Nerva Trajan Hadrian Caesar Augustus and our leader, the ancestral god Apollo.”⁸² This passing allusion has much greater significance than might appear at first sight. The crown combining images of a deity and the emperor, to be worn by an *ag̃̄ nothet̃ ē s* at a festival, might be taken as a symbol of that whole “Romano-Greek” complex of beliefs, customs, and communal observances which constituted the collective life of the “Greek” city in the imperial period. In archaeological terms it is also noteworthy that comparable crowns are worn by some of the local notables portrayed in the remarkable statuary from Aphrodisias of this period.⁸³ But, more significantly, a crown of precisely this type appears in one of the most brilliant of literary evocations of the challenge which Christianity offered to the beliefs, customs, and collective values of the Greek city, the *Acts of Paul and Thecla*, of which one version at least was already in circulation by the end of the second century. When Paul and Thecla reach Antioch (apparently the one in Pisidia), Alexander, “one of the first of the Antiochenes,” lays hold of her. But she resists, tearing his cloak and dashing from his head a golden crown with an image of the emperor.⁸⁴

The *Acts of Paul and Thecla* represents only one of a series of Christian portrayals of the life of the Greek city, of the crisis caused in it by the preaching of Christianity, and of the profound transformations which then came about. One of the most striking is the *Life of Gregorius Thaumaturgus* by Gregory of Nyssa. Written in the 380s, this novelistic portrayal of Christian preaching in the mid-third century vividly evokes the public buildings and popular festivals of cities in Pontus, and seems to be unique in explicitly portraying the establishment of a calendar of Christian martyr festivals as a conscious device to create a new “rhythm” of city life (the term used is very significant: *metarrythmiz̃̄ n*).⁸⁵ That the communal structures and the

pagan calendar, or “rhythm,” of the Graeco-Roman city did in fact, over a period of not much more than a century, succumb to the new Christian world of bishops, churches, shrines of martyrs, and a new calendar of feasts is of course certain. Julian’s short-lived attempt to revive it met with only a limited response. His last letter, written as his army marched east from Antioch in 363, might be taken as the epitaph of the pagan city:

From Litarbae I proceeded to Beroea, and there Zeus by showing a manifest sign from heaven declared all things to be auspicious. I stayed there for a day and saw the Acropolis and sacrificed to Zeus in imperial fashion a white bull. Also I conversed briefly with the senate about the worship of the gods. But though they all applauded my arguments very few were converted by them, and these few were men who even before I spoke seemed to me to hold sound views. But they were cautious and would not strip off and lay aside their modest reserve, as though afraid of too frank speech.⁸⁶

Looking at the pagan Graeco-Roman city of the fourth century, we might, as Oswyn Murray has suggested to me, wish to emphasise the extraordinary stability, or ossification, of culture and values which bound it to the classical Greek city of some seven centuries earlier. On this view it succumbed because it did not change, and could not. On the other hand, we might rather emphasise its vast progressive diffusion since then, with the effect that the Greek-speaking city now provided the primary form of identity for perhaps 30 million people; the growth in size, architectural adornment, and urban facilities, such as aqueducts, characteristic of very many of them; the wider unity symbolised by the cycle of athletic and “musical” festivals; and their involvement, in many different ways, practical and symbolic, in the Roman Empire. It is no accident that the “Greek city” whose ruins we can still see was the “Graeco-Roman city” of the imperial period. But Christianity was to triumph all the same.

The preaching of Christianity was not of course the only crisis which steadily transformed the Greek city in the later imperial period. Invasions touched much of the Balkans, Macedonia, Greece, Asia Minor, and Syria; the depreciation of the imperial coinage *seems* (see above) to have been the factor which brought about the ending of city coinage; the sub-division of provinces tended to bring the governors closer to the individual city, and it is in any case noticeable that building in the cities of the later Empire depended more on the initiative of governors than it did on local benefactors. Equally, the

tradition of euergetism seems to have been profoundly damaged by a change which the emperors themselves introduced, as a way of rewarding those who served under them. That is to say that from around A.D. 300, various civilian and military ranks in the imperial service started to be conceived of as conferring a permanent named status on their holders; and these statuses in their turn came to confer a life-long immunity from magistracies (*archai*), liturgies (*leitourgiai*), and membership of the council (*boulē*) in a man's city. The "flight of the councillors" into imperial office, so characteristic of the fourth century, was in fact an artificial creation by the emperors themselves, whose consequences they tried in vain to limit.⁸⁷

After the conversion of Constantine and his subsequent defeat of Licinius, the new freedom and imperial backing given to Christian communities could be followed, at first slowly and erratically, by Christian attacks on temples, leading sometimes to their destruction and replacement by churches.⁸⁸ None of this meant of course that what we call "the Greek city" simply vanished. On the contrary, work at, for instance, Athens, at Aphrodisias in Caria, and at Scythopolis in Syria Palaestina has demonstrated how complex a story of communal life, and even of extensive new construction in the fourth to sixth and seventh centuries, remains to be written.⁸⁹ In the Syrian region, however, major changes in the pattern of urbanism may have been under way even before the Islamic conquests of the seventh century;⁹⁰ in Asia Minor, as the work of Clive Foss has suggested, the Persian invasions of the early seventh century may have marked a decisive change.⁹¹ But these are as yet mere pointers. It remains the case that the "Greek city" which we can know best is the Romanised Greek city of the high imperial period, whose physical remains, inscriptions, and coins offer us a uniquely rich public "image," which still leaves fundamental questions of social and economic history unanswered. But a very different history, whose framework would be a changed relationship to the now Christian emperors, could now be written, on the basis of changing types of evidence, to do justice to the complex evolution of the "Greek," or "Graeco-Roman," city of the fourth to seventh centuries.⁹²

Notes

* First published in M. H. Hansen, ed., *The Ancient Greek City-State* (Copenhagen, 1993), 232–60. This paper owes a great deal to the comments of the participants in the colloquium, above all those of Ph.

Gautier.

1. G. Alföldy, "Augustus und die Inschriften: Tradition und Innovation," *Gymnasium* 98 (1991): 289.

2. For a brief sketch of some aspects of this transformation, see F. Millar, "State and Subject: The Impact of Monarchy," in F. Millar and E. Segal, eds., *Caesar Augustus: Seven Aspects* (1984), 37–60 (= chapter 12 of F. Millar, *Rome, the Greek World, and the East I: The Roman Republic and the Augustan Revolution*), which owes much to S. R. F. Price, *Rituals and Power: The Roman Imperial Cult in Asia Minor* (1984).

3. Herodotus 1, 167.

4. Dionysius, *Ant. Rom.* 7, 3–10.

5. Plutarch, *Camillus* 8; Justin 43, 5, 10.

6. Syll.³ no. 591. English translation in M. M. Austin, *The Hellenistic World from Alexander to the Roman Conquest* (1981), no. 155.

7. See P. S. Derow and W. G. Forrest, "An Inscription from Chios," *ABSA* 77 (1982): 79 = *SEG XXXI*, no. 777. See O. Hansen, *Eranos* 85 (1987): 101.

8. For a general account of Posidonia/Paestum, as revealed by excavation, see J. G. Pedley, *Paestum: Greeks and Romans in Southern Italy* (1990); for Dicaearchia/Puteoli, M. Frederiksen, *Campania* (1984), chap. 14.

9. D. Roussel, *Les Siciliens entre les Romains et les Carthaginois à l'époque de la première guerre punique* (1970).

10. For a survey of later Republican Sicily, see R. J. A. Wilson, *Sicily under the Roman Empire: The Archaeology of a Roman Province, 36 B.C.–A.D. 535* (1990), chap. 1: "Background."

11. Livy 31, 29–30.

12. See K. S. Sacks, *Diodorus Siculus and the First Century* (1990), esp. 191–92.

13. See J. M. Alonso-Nuñez, "An Augustan World History: The *Historiae Philippicae* of Pompeius Trogus," *Greece and Rome* 34 (1987): 56.

14. L. Robert and J. Robert, *Claros I: décrets hellénistiques* (1989). The passage quoted is from the decree for Polemaios, col. II, lines 24–33. See also J. Touloumakos, "Zum römischen Gemeindepatronat im griechischen Osten," *Hermes* 116 (1988): 304, and esp. the important paper by J.-L. Ferrary, "Le statut des cités libres dans l'Empire Romain

à la lumière des inscriptions de Claros,” CRAI (1991): 557.

15. See R. K. Sherck, *Roman Documents from the Greek East: Senatus Consulta and Epistulae to the Age of Augustus* (1969), no. 24.

16. Edited by J. M. Reynolds in J. A. Lloyd, *Excavations at Sidi Khreish, Benghazi (Berenice) I* (supp. to *Libya Antiqua* 5, 1982), 233, no. 1. See A. Laronde, *Cyrène et la Libye hellénistique* (1987), 463–64 (photograph, text, translation, and discussion).

17. Syll.³, no. 762 = IGR I, no. 662 = G. Mihailov, *IGBulg.* I² (1990), no. 13. English translation in R. K. Sherck, *Rome and the Greek East to the Death of Augustus* (1984), no. 78.

18. Strabo, *Geog.* 12, 3, 11 (546), Loeb trans. (with minor emendations).

19. For the political history of the Greek cities of both Phoenicia and Syria proper, see the very useful studies by J. G. Grainger, *The Cities of Seleukid Syria* (1990), and *Hellenistic Phoenicia* (1992).

20. Strabo, *Geog.* 16, 2, 19 (756). On Berytus as a *colonia*, see F. Millar, “The Roman *Coloniae* of the Near East: A Study of Cultural Relations,” in H. Solin and M. Kajava, eds., *Roman Eastern Policy and Other Studies in Roman History* (1990), 10–23 (= chapter 8 of the present volume).

21. E. Bowie, “Greeks and Their Past in the Second Sophistic,” *Past and Present* 46 (1970): 3 = M. I. Finley, ed., *Studies in Ancient Society* (1974), 166.

22. Strabo, *Geog.* 12, 8, 13 (576); 13, 4, 15 (630).

23. J. M. Reynolds, *Aphrodisias and Rome* (1982), nos. 2–3 (Oppius); 6–13 (Triumviral period). The phrase quoted is from no. 13.

24. A. Plassart, “Une levée de volontaires thespiens sous Marc-Aurèle,” *Mélanges G. Glotz* II (1932), 231; the correct context was established by C. P. Jones, “The Levy at Thespieae under Marcus Aurelius,” *GRBS* 12 (1971): 45.

25. See F. Millar, “P. Herennius Dexippus: The Greek World and the Third-Century Invasions,” *JRS* 59 (1969): 12 (= chapter 13 of F. Millar, *Rome, the Greek World, and the East II: Government, Society, and Culture in the Roman Empire*).

26. *Dig.* 50, 15, 1.

27. Reynolds, *Aphrodisias and Rome*, no. 15 (Hadrian); 48 (legal prevention of visits by proconsul). For discussions of these complex questions, see R. Bernhardt, *Imperium und Elutheria: Die römische Politik*

gegenüber den freien Städten des griechischen Ostens (1971); *Polis und römische Herrschaft in der spätesten Republik, 149–31 vor Chr.* (1985); and Ferrary (n. 14).

28. So Diodorus 16, 7, 1. See Wilson (n. 10), 33–34 (suggesting that the actual colonisation took place in 21 B.C.).

29. See still B. M. Levick, *Roman Colonies in Southern Asia Minor* (1967): Antiochia in Pisidia, Cremna, Olbasa, Comama, Lystra, Parlais. For the background, see S. Mitchell, “The Hellenization of Pisidia,” *Mediterranean Archaeology* 4 (1991): 119.

30. Text to nn. 31–33 below.

31. *AE* 1973, no. 501 = *I. K. Alexandria Troas*, no. 34.

32. G. H. R. Horsley, “The Inscriptions from the So-called ‘Library’ at Cremna,” *Anat. Stud.* 37 (1987): 49 = *SEG* XXXVII, nos. 1175–85. The example given is no. 1176; see now *I. K. Central Pisidia*, no. 34.

33. See E. Chrysos, ed., *Nicopolis I: Proceedings of the First International Symposium on Nicopolis* (1987). For the inscription from Pergamon, see L. Moretti, *Iscrizioni agonistiche greche* (1953), no. 58.

34. For this view see N. Purcell, “The Nicopolitan Synoicism and Roman Urban Policy,” in Chrysos (n. 33), 71.

35. A. H. M. Jones, *The Cities of the Eastern Roman Provinces*² (1971).

36. See esp. S. Mitchell, “Imperial Building in the Eastern Roman Provinces,” *HSCPh* 91 (1987): 333, with a shorter version in S. Macready and F. H. Thompson, eds., *Roman Architecture in the Greek World* (1987), 18, a valuable series of studies on the influence of Rome on the physical character of imperial Greek cities.

37. *MAMA* IV, no. 236.

38. *MAMA* VII, no. 305.

39. See now the new inscription from Heraclea Sintica in Macedonia: G. Mitrev, “Civitas Heracleotarum: Heracleia Sintica or the Ancient Village of Rupite,” *ZPE* 145 (2003): 263–72, with C. Lepelley, “Une inscription d’Heraclea Sintica (Macédoine) récemment découverte, révélant un rescrit de l’empereur Galère restituant ses droits à la cité,” *ZPE* 146 (2004): 221–31.

40. For the most penetrating study of urban architecture, drawing equally on Greek East and Latin West, see W. L. MacDonald, *The Architecture of the Roman Empire II: An Urban Appraisal* (1986). For the widespread adoption in the Greek East of what are categorised as

“Roman” architectural techniques, see H. Dodge, “The Architectural Impact of Rome in the East,” in M. Henig, ed., *Architecture and Architectural Sculpture in the Roman Empire* (1990), 108.

41. Suetonius, *Div. Claud.* 25; Dio 60, 17, 3–4. The fullest account so far available is *RE*, s.v. “Lykia,” supp. XIII (1973), cols. 265–308 (S. Jameson). Subsequent discoveries will allow a major new account. For the formation of the province, see D. Magie, *Roman Rule in Asia Minor* (1950), 529.

42. J. Deininger, *Die Provinziallandtage der römischen Kaiserzeit* (1965). For the Lycian *koinon*, 69ff.

43. For a very careful collection of the evidence, see G. E. M. de Ste Croix, *The Class Struggle in the Ancient Greek World* (1981), app. IV: “The Destruction of Greek Democracy in the Roman Period.”

44. J.-M. Ch. Balty, *Curia Ordinis: recherches d’architecture et d’urbanisme antiques sur les curies provinciales du monde romain* (1991).

45. A. H. M. Jones, *The Greek City from Alexander to Justinian* (1940); M. Sartre, *L’Orient romain: provinces et sociétés provinciales en Méditerranée orientale d’Auguste aux Sévères (31 avant J.-C.–235 après J.-C.)* (1991).

46. V. V. Struve, *Corpus Inscriptionum Regni Bosporani (CIRB)* (1965); see V. F. Gajdukevi, *Des bosporanische Reich* (1971).

47. For the five Cyrene Edicts, see still the discussion by F. de Visscher, *Les édits d’Auguste découverts à Cyrène* (1940). For the letters of Hadrian and Antoninus Pius, see J. M. Reynolds, “Hadrian, Antoninus Pius and the Cyrenaican Cities,” *JRS* 68 (1978): 111. The Jewish inscriptions are collected by G. Lüderitz, *Corpus jüdischer Zeugnisse aus der Cyrenaika* (1983). A corpus of the inscriptions of Cyrenaica is being prepared by J. M. Reynolds.

48. See still, for some of them, N. Pigulevskaya, *Les villes de l’état iranien aux époques parthe et sassanide* (1963). See also S. A. Nodelman, “A Preliminary History of Characene,” *Berytus* 13 (1960): 83.

49. See F. Millar, “Dura-Europos under Parthian Rule,” in J. Wiesehöfer, ed., *Das Partherreich und seine Zeugnisse* (Historia-Einzelschrift 122, 1998), 473–92 (= chapter 16 of the present volume).

50. For these places as *coloniae*, see F. Millar (n. 20).

51. See Jones (n. 35), chap. 11; F. Millar, *The Roman Near East (31 B.C.–A.D. 337)* (1993), part. II, chap. 7.

52. See D. Feissel and J. Gascou, "Documents d'archives romains inédits du Moyen Euphrate (IIIe s. après J.-C.) I. Les pétitions (P.Euphr. 1 à 5)," *JS* 1995: 65–119; "II. Les actes de ventes-achat (P.Euphr. 6 à 10)," *JS* 1997: 3–57; "III. Actes divers et letters (P.Euphr. 11 à 17)," *JS* 2000: 157–208.

53. For central Asia Minor, note S. Mitchell, *Anatolia: Land, Men and Gods in Central Asia Minor, 280 B.C.–A.D. 620* I–II (1993), and for the Near East, Millar (n. 51).

54. R. MacMullen, "The Epigraphic Habit in the Roman Empire," *AJPh* 103 (1982): 233.

55. T. B. Jones, "Greek Imperial Coins," *North American Journal of Numismatics* 4 (1965): 295; see A. Johnston, "Greek Imperial Statistics: A Commentary," *RN* 26 (1984): 240.

56. K. Kraft, *Das System der kaiserzeitlichen Münzprägung in Kleinasien* (1972).

57. For these misleading presumptions, see, e.g., A. Bellinger, *The Syrian Tetradrachms of Caracalla and Macrinus* (1940).

58. K. Harl, *Civic Coins and Civic Politics in the Roman East, A.D. 180–275* (1987).

59. A. Burnett, M. Amandry, and P. P. Ripollès, *The Roman Provincial Coinage* I.1–2–II (1992–).

60. See A. Johnston, "The So-Called 'Pseudo-Autonomous' Greek Imperials," *Am. Num. Soc., Mus. Notes* 30 (1985): 89. There is no complete study of the coinage of Tyre; for the essentials, see *BMC Phoenicia* cxxiii–cxxiv, and 227–28; for these three cases, see *RPC* I, 41.

61. See Feissel and Gascou (n. 52) I (1995), no. 1.

62. This traffic in embassies is a central theme of my *The Emperor in the Roman World, 31 B.C.–A.D. 337* (1977; reissued with afterword, 1992). For imperial letters, see the posthumously published corpus by J. H. Oliver, *Greek Constitutions of the Early Roman Emperors from Inscriptions and Papyri* (1989).

63. *IGR* I, no. 1619; Dittenberger, *Syll.*³, no. 883; Abbott and Johnson, *Municipal Administration*, no. 134.

64. Tacitus, *Hist.* 2, 80.

65. Acts 19:29. It is worth noting the valuable survey by G. H. R. Horsley, "The Inscriptions of Ephesos and the New Testament," *Novum Testamentum* 34 (1992): 105.

66. J. Reynolds, "Cities," in D. C. Braund, ed., *The Administration of the Roman Empire* (Exeter Studies in History 18, 1988), 15: "They were, strictly speaking, 'peoples' (*populi, demoï*), properly designated by an ethnic rather than a place name (*Carthaginienses* rather than *Carthago*, *Pergamenoï* rather than *Pergamon*)."

67. R. MacMullen, *Paganism in the Roman Empire* (1984); R. Lane Fox, *Pagans and Christians* (1986), esp. 27–28, "Pagans and Their Cities."

68. Edited by K. L. Sismanides in *Ἀρχαιολογικὸν Δελτίον Μελέτες* 1983 [1985]: 75; see *BE* 1987: no. 688, and *SEG* XXXV, no. 744.

69. R. Hodot, "Décret de Cymè en l'honneur du Prytane Kléanax," *J. Paul Getty Museum Journal* 10 (1982): 165, with the long discussion by L. Robert, *Bull. Épig.* 1983, 323; R. Merkelbach, "Ehrenbeschluss der Kym $\alpha\epsilon\tau\epsilon\rho\acute{\alpha}\nu$ für den Prytanis Kleanax," *Epigr. Anat.* 1 (1983): 33; *SEG* XXXII, no. 1243.

70. A detailed study of the equestrian roles of men from the Greek cities is lacking. See the classic sketch by A. Stein, "Zur sozialen Stellung der provinziellen Oberpriester," *Epitumbion Swoboda* (1927), 300; note also F. Quass, "Zur politischen Tätigkeit der munizipalen Aristokratie des griechischen Ostens in der Kaiserzeit," *Historia* 31 (1982): 188, esp. 198–99, for holders of equestrian posts. For senators, H. Halfmann, *Die Senatoren aus dem östlichen Teil des Imperium Romanum bis zum Ende des 2. Jahrhunderts n. Chr.* (1979); S. Panciera, ed., *Epigrafia e ordine senatorio* II (1982), 583–684. See above all, however, for the local activity of senators, W. Eck, "Die Präsenz senatorischer Familien in der Stadt des Imperium Romanum bis zum spät 3. Jahrhundert," in W. Eck, H. Galsterer, and H. Wolff, eds., *Studien zur antiken Sozialgeschichte: Festschrift F. Vittinghoff* (1980), 283.

71. For a sketch of the problem, see H. Galsterer, "Roman Law in the Provinces: Some Problems of Transmission," in M. Crawford, ed., *L'impero romano e le strutture economiche e sociali delle province* (1986), 13.

72. Constantine, *Oratio ad Coetum Sanctorum* 19–21.

73. See Millar (n. 20), 16–17.

74. E. Gabba, *Dionysius and the History of Archaic Rome* (1991); C. P. Jones, *Plutarch and Rome* (1971); F. Millar, *A Study of Cassius Dio* (1964). See in general E. Gabba, "The Historians and Augustus," in

Millar and Segal (n. 2), 61.

75. See A. J. Spawforth and S. Walker, "The World of the Panhellenion I. Athens and Eleusis," *JRS* 75 (1985): 78; "II. Three Dorian Cities," *JRS* 76 (1986): 88.

76. See G. M. Woloch, *Roman Citizenship and the Athenian Elite, A.D. 96–161* (1973); F. Millar (n. 25), 12.

77. *IG* IV.1, no. 544. See Spawforth in P. Cartledge and A. J. Spawforth, *Hellenistic and Roman Sparta: A Tale of Two Cities* (1989), 201–2.

78. G. M. Rogers, *The Sacred Identity of Ephesos: Foundation Myths of a Roman City* (1991).

79. M. Wörle, *Stadt und Fest im kaiserzeitlichen Kleinasien: Studien zu einer agonistischen Stiftung aus Oinoanda* (1988).

80. L. Moretti, *Iscrizioni agonistiche greche* (1953); L. Robert, "Deux concours grecs à Rome," *CRAI* (1970): 6; L. Robert, "Discours d'ouverture," *VIIIth International Congress of Greek and Latin Epigraphy 1982* (1984), 35; S. Mitchell, "Festivals, Games and Civic Life in Roman Asia Minor," *JRS* 80 (1990): 183; A. W. Pickard-Cambridge, *The Dramatic Festivals of Athens*², revised by J. Gould and D. M. Lewis (1968; reissued with corrections and supp., 1988), 306–7 (the inscriptions relating to artists of Dionysus).

81. Reynolds, *Aphrodisias and Rome* (n. 23), no. 59, l. 5; no. 57, ll. 22–23.

82. Lines 52–53 (trans. Mitchell, above, n. 80).

83. For a photograph and brief account of one of them, see K. T. Erism, *Aphrodisias: City of Venus Aphrodite* (1986), 65.

84. *Acts of Paul and Thecla* 26–39 (Syriac text) quoted from Price (n. 2), 170.

85. Gregory of Nyssa, *Vita Gregorii Thaumaturgi*, *PG* XLVI, cols. 893–957. For *μεταρρυθμιζων*, see col. 953. See R. Van Dam, "Hagiography and History: The Life of Gregory Thaumaturgus," *Classical Antiquity* 1 (1982): 272.

86. Julian, *Ep.* 58, Loeb trans.; Bidez-Cumont, *Ep.* 98.

87. These points briefly summarise the conclusions of F. Millar, "Empire and City, Augustus to Julian: Obligations, Excuses and Status," *JRS* 73 (1983): 76 (= chapter 16 of F. Millar, *Rome, the Greek World, and the East II: Government, Society, and Culture in the Roman Empire*).

88. See G. Fowden, "Bishops and Temples in the Eastern Roman Empire, A.D. 320–435," *JThSt* 29 (1978): 53.

89. For late Roman Athens, see esp. A. Frantz, *The Athenian Agora XXIV: Late Antiquity, A.D. 267–700* (1988); for Aphrodisias, see esp. C. Roueché, *Aphrodisias in Late Antiquity* (1989), and *Performers and Partisans in Aphrodisias in the Roman and Late Roman Periods* (1992). For the excavations at Scythopolis, see esp. *Excavations and Surveys in Israel* 7–8 (1988–89): 15–32. Note (27) the mosaic inscription of building work carried out under the governorship of Palladius Porphyrius, probably in the fourth century.

90. See H. Kennedy, "From *Polis* to *Madina*: Urban Change in Late Antique and Early Islamic Syria," *Past and Present* 106 (1985): 3.

91. C. Foss, "The Persians in Asia Minor and the End of Antiquity," *EHR* 90 (1975): 721, reprinted along with other papers in his *History and Archaeology of Byzantine Asia Minor* (1990), no. I. Note also his studies of individual cities: *Byzantine and Turkish Sardis* (1976); and *Ephesus after Antiquity* (1979).

92. See for instance M. Whittow, "Ruling the Late Roman and Early Byzantine City: A Continuous History," *Past and Present* 129 (1990): 3.

PART II
Rome and the East

CHAPTER SEVEN

Reflections on the Trials of Jesus



Introduction

If anything at all is certain about the earthly life of Jesus, it is that he was a Jew who expressed original and disturbing conceptions of what Judaism ought to mean, and was executed on the orders of a Roman *praefectus* who had little or no conception of what Judaism meant. The varied and contradictory accounts which the Gospels provide of how Jesus came to suffer crucifixion may thus be a suitable topic for me, as a Roman historian, to offer in honour of Geza Vermes, just over two decades since our joint work on the new Schürer began.

It could hardly be disputed that if we *could* recover exactly what was said and done, around the time of Passover in an indeterminate year,¹ to bring about the crucifixion, the results would be of almost limitless importance. But no such claim will be made here. Nor will the discussion take detailed account of the endless “bibliography of the subject.”² Instead, the emphasis will be, first, on examining the general characteristics of the Gospels, viewed as biographical narratives (which is what they are, however “kerygmatic” their intentions). This discussion will suggest some reasons why, if any one of the Gospels can bring us closer to the historical context and overall pattern of Jesus’ activities than the others, it is John rather than any of the Synoptics;³ while, of the Synoptics, it is Luke who has the weakest grasp on the realities of Palestine under Roman domination. It is essential to stress that those realities provide the only touchstone for what *may* be veridical in any of the trial narratives, as in the Gospel narratives as a whole. These realities are genuinely accessible, to a significant degree, because—and only because—of the works of Josephus. In the case of Josephus we know who he was, what his place was in the Jewish history of his time, what he wrote, when, where, and to a large degree why. Not one of those questions can be answered with any confidence for any one of the Evangelists. None the less, it is highly relevant to note that Josephus’ *Jewish War*, *Antiquities*, and *Life* were themselves written in Rome in the 70s, 80s and 90s; a work can truly spring from the Judaea of before A.D. 70

without having been written either there or then.

The evidence of Josephus enables us to say *not* which of the Gospel accounts is “true,” but, firstly, what is significant about the differences between them; and, secondly, which of the things narrated by them could have been true, and conversely which could not. To take one example: the two birth narratives, of Matthew and Luke, are wholly different, and mutually incompatible; but Matthew’s account fits with historical reality and *could* be true in its broad outlines, while Luke’s does not, and cannot be true. This distinction does not lose its significance even if we conclude, as I believe we must, that in fact neither is true.

If we then turn to the trial narratives themselves, we may be able to find reasons why some are likely to be false, because they do not fit with what we know from more secure evidence. And we may also be able to show that one is plausible, that it does “fit.” But that is not the same thing as proving it to be true. For it lies in the nature of arguments from coherence that we can never confidently distinguish between an essentially veridical narrative, based on first-hand reports, and a convincing reconstruction—or fiction—whose author respected historical realities. We cannot know “what happened”; but we can certainly gain a clearer idea of the significance of the differences between the several accounts we are given.

That we are given quite different accounts is, of course, well known. For a start, in the Synoptics the Last Supper is a Passover meal at which the paschal lamb is eaten, and in John it is merely a meal on the evening before Passover. We may not be able to prove which, if either, of these versions is true, though some reasons will be advanced below for preferring John’s version. But what is logically beyond dispute is that they cannot both be historically true; and therefore that at least one of them is false. I make no apology for placing so much weight on the question of literal, non-metaphorical, non-theological, mundane truth or falsehood; for that after all is what historians are for.

The Gospels as Biography and History

Before offering a view on the fundamental question of historical truth, it is essential, however briefly, to look at the Gospels overall when considered as biographical narratives. I assume in the following discussion that the conventional view that Mark’s Gospel is the earliest of the Synoptics is correct; but also that Matthew represents a

development of Mark, and that Luke has probably used both; and that John is independent. The trial narratives themselves, which represent so prominent a part of the structure of each of the Gospels, lend strong support to these views.

I take up no position on the sources of the Gospels, or on the question of the absolute date when any one of them was written, or even on whether they were written before or after the siege of Jerusalem and the destruction of the Temple in A.D. 70. All that seems to me to be certain of all four is that they could not have come to be as they are without their deriving in some sense, direct or indirect, from an environment in which the geography and social structure of pre-A.D. 70 Palestine was familiar; and, more important, an environment in which the *concerns* of pre-70 Jewish society were still significant, whether we think of the high priests and “the Sanhedrin,” of Pharisees and Sadducees, of the relations between Galilee, Samaria, and Judaea, or of the centrality of the Temple and of pilgrimage to it, and of the major festivals celebrated there, Passover above all. In a profound sense, the world of the Gospels is that of Josephus. But there remains one major puzzle, to which too little attention has been directed: in the Synoptic Gospels two groups called *grammateis* (scribes) and *presbyteroi* (elders) play a major role. But these terms, in the plural, as designations of apparently definable groups, are unknown to Josephus’ accounts of the period, in the *War* and the *Antiquities*; it may therefore be significant that they are also unknown to John. With that exception, and allowing for very considerable variations between them, the Gospels all “belong” in pre-A.D. 70 Palestine, and must in some sense derive from it. Within that wider framework it must be firmly asserted that the Gospels *are* biographical narratives; Matthew and Luke follow the life of Jesus from birth to death; Mark and John do so from his recognition by John the Baptist until death. The two pillars on which the structure of all four narratives rest are therefore, firstly, John the Baptist and his proclamation of Jesus and, secondly, the Passion narratives.

Only Matthew and Luke take the story back to the birth of Jesus, and do so in wholly different and incompatible ways. But we cannot understand the *significance* of this comparison unless we hold fast to the historical framework of the later years of Herodian rule and the early stages of Roman rule in Judaea, as provided by Josephus.⁴ If we use this framework, we find that Matthew presents an entirely feasible succession of events. Jesus was born in Bethlehem of Judaea in the

days of Herod the King (2:1), therefore not later than spring of 4 B.C. In fear of Herod, Joseph took the family to Egypt (2:14), which since 30 B.C. had been a Roman province. When Herod died (4 B.C.), an angel prompted Joseph to return to the land of Israel; but hearing that Herod's son Archelaus was ruling in Judaea, as he did from 4 B.C. to A.D. 6, Joseph was afraid. So he went instead to Galilee, and settled in Nazareth (2:23). The implication is that Archelaus was not ruling there, which is correct. It is not, however, explicitly stated at this point that the ruler there was Archelaus' brother, Herodes Antipas, who was in fact in power there from 4 B.C. to A.D. 37. Indeed it is not until 14:1–12 that “Herodes the tetrarch” (his correct title) makes his first and only entrance, with a reference back to his execution of John the Baptist. So the historical framework is only partially reflected; all the same the underlying presumption that there was more to fear in Judaea under Archelaus than in Galilee under Herodes Antipas is borne out by Josephus' accounts of the two reigns.

The purpose of the story is to explain how Jesus, later to emerge from obscurity as a man from Nazareth, both belonged to the line of David (hence the genealogy in 1:1–17) and had in fact duly been born in Bethlehem (2:1–6).

Luke's birth narrative has the same purpose, but sets about fulfilling it quite differently. Even his genealogy, which he does not introduce until chapter 3, disagrees with Matthew's, beginning in the generation before Joseph; but it too includes King David (3:23–38). More important, having begun by locating the story “in the days of Herod the king of Judaea” (1:5), he continues with the episode of Zechariah and Elizabeth, coming only in 1:26 to Mary and her fiancé Joseph, “from the house of David,” but settled in Nazareth in Galilee. The birth of Jesus in Bethlehem is brought about by the proclamation of the census, requiring all to go to be registered, each to his own city (2:1). So Joseph and Mary go to Bethlehem “since he belonged to the house and kindred of David.”

Unfortunately the story is a historically impossible construct, which makes use of the long-remembered and traumatic moment when in A.D. 6, ten years after Herod's death, and following the deposition of Archelaus, Judaea became Roman provincial territory, and the Roman census, a complete novelty, was imposed. A resistance movement flared up, and was repressed with difficulty. Luke is quite unaware of this precise context. But he has also forgotten something much more significant. Neither in A.D. 6 nor at any other time in the life-time of

Jesus was Galilee under Roman rule, or subject to the census. Furthermore, as we know from a much-quoted papyrus of A.D. 104, the Roman census in fact required people to return, not to their ancestral home, but to their normal place of work and residence, which in the case of Joseph would have been Nazareth.⁵

We need not pursue the argument further. Both birth narratives are constructs, one historically plausible, the other wholly impossible, and both are designed to reach back to the infancy of Jesus, and to assert his connection with the house of David (as it happens, almost the only characteristic of the earthly Jesus alluded to by Paul, Rom. 1:2) and his birth in Bethlehem. For if it could be known at all from where the *Christos* would come (for some doubts on this see Jn. 7:27), then it ought surely to have been Bethlehem; the expectation is underlined most clearly of all in John (7:41–43): “And they said, ‘Surely the *Christos* does not come from Galilee? Has not Scripture said that it is from the seed of David, and from Bethlehem, the village where David was, that the *Christos* comes?’” John does not claim that in this respect prophecy had been fulfilled; and it is he alone of the Evangelists who confronts this failed expectation.

This is not the place to attempt to examine in detail the different accounts in the Gospels of the various episodes of Jesus’ ministry between his recognition by John and his journey to Jerusalem, arrest, “trial,” and crucifixion. Such a detailed discussion would serve no purpose, for, as mentioned above, all four Gospels show every sign of deriving, directly or indirectly, from the real historical environment of Jesus’ preaching, in Galilee, Peraea, in the territory of Caesarea Philippi, and of Tyre and Sidon, and en route between Galilee and Jerusalem. But it is essential to state firmly that we cannot amalgamate the four accounts to construct a “life of Jesus.” We could attempt to do so with the three Synoptics, but not with John, because the structure of his narrative is fundamentally different. For the Synoptics, there is only one journey to Jerusalem, that for the final Passover, the occasion of the crucifixion. Their narratives thus lead from Galilee and its environs to a single climax, namely the one pilgrimage to Jerusalem for Passover. As such, this is entirely convincing. Josephus’ two narratives of the period give ample evidence that Passover was indeed the main national pilgrim festival, when vast crowds assembled, from Galilee not least, and when disturbances could be anticipated.⁶

This concentration on a single climactic visit has its effect also on

the details of the Synoptic narratives. So, for instance, in Jesus' lifetime the Roman census was imposed, and Roman taxation was payable, in Judaea but not in Galilee, a fact which, as we have seen, Luke's birth narrative overlooks. The question of payment remained a burning issue. So all three Synoptics represent the trick question about whether to pay "the census" as having been posed in Jerusalem, necessarily in the period before the last Passover (Mk. 12:13–17; Mt. 22:17–22; Lk. 20:21–26). It is also in this context that they must place the cleansing of the Temple (Mk. 11:15–17; Mt. 21:12–13; Lk. 19:45–46). But in John this episode belongs in a quite different context. For just as his trial narrative is structured round Pilate's movements between Jesus, inside the *praetorium* (the residence of the Roman *praefectus*), and his Jewish accusers outside, as we shall see, so his narrative of Jesus' preaching is structured round a whole series of Jewish festivals, proceeding in what looks like an appropriate sequence through at least something more than one year, and each necessitating an ascent from Galilee to Jerusalem. The sequence begins with a first Passover, almost the earliest episode in Jesus' activity as a preacher, being preceded only by the marriage at Cana (2:1–11), an item unique to John. (Cana was a real village in Galilee, where Josephus once stayed on campaign in A.D. 67 [*Vita* 86]; unfortunately he does not report having heard there any interesting local tales.) It is thus very early in the narrative that John represents Jesus as going up to Jerusalem for "the Pascha of the *Ioudaioi*," cleansing the Temple, meeting "a man of the Pharisees, Nicodemus by name, an *archon* [magistrate] of the *Ioudaioi*," who is to reappear later after the crucifixion (19:39), and then going out into the countryside of Judaea (2:13–3:21). On his way back he has to pass, as Galilean pilgrims often did,⁷ through the territory of Samaria. The picture then offered of Samaritan beliefs and attachment to their sacred mountain (Mount Gerizim) is the most detailed in any of the Gospels (4:1–42) and is vividly matched by Josephus' description (*Ant.* 18, 85–87) of an episode which belongs very soon after the time of Jesus' preaching: a local man persuaded a large group to ascend Mount Gerizim in the hope of finding there sacred vessels buried by Moses; but the movement was suppressed by a force sent by Pilate. The episode is followed by the dismissal of Pilate, apparently in the winter of A.D. 36/7.

In John's narrative Jesus now returns to Galilee, but his work is interrupted by a "festival of the *Ioudaioi*" (5:1), perhaps Pentecost (though the words could refer to the Passover of the next year), and

Jesus goes up again to Jerusalem, where he heals a lame man lying at the pool called Bethesda and is blamed for doing so on a Sabbath (5:2–47). After his reply, and with no transition, he is found going away across “the sea of Galilee to Tiberias” (6:1, with 6:23 the only reference to this new city in the Gospels). He then ascends a mountain; but here the chronological sequence may be in some way distorted, for John says (6:4) that “the *Pascha*, the festival of the Jews” was near. There is no further reference to Passover in the long section which follows (6:5–71). This must be either a displacement, or a scribal or authorial error, or we have shifted forward a whole year (or even two years altogether, if the two allusions to a “festival of the Jews” [5:1 and 6:11] should be taken as referring to two successive Passovers). But to solve the problem in that way would be to indulge in an inappropriate literalism. It is perhaps more likely that there is some mistake here, and that John is intending to portray Jesus’ preaching and his movements from Galilee up to Jerusalem and back within the framework of a cycle of festivals covering just over one year. If that is so, then it is appropriate that we come in 7:1–2 to Sukkot/Tabernacles. Jesus is preaching in Galilee, for he fears to go to Judaea. But his followers urge him to go none the less, for “the festival of the Jews, *skēnop̄ēgia* [Sukkot]” is approaching. Jesus then does go, first clandestinely, then teaching openly in the Temple during the festival. No features of this festival are explicitly reflected in this section (7:1–52), except for an allusion to the last day, as being the climax (7:37); but the atmosphere of a popular festival centred on the Temple is felt throughout. It is worth recalling that, in a year which is probably A.D. 24, almost contemporary with Jesus’ preaching, the Jews of Berenice in Cyrenaica held an assembly at which they voted honours to a Roman official “at the time of the public assembly [*syllogos*] of the *skēnop̄ēgia*” (IGR I, 1024).

As was mentioned above, we cannot regard the fact that the Synoptics represent Jesus as going up to Jerusalem only for one Passover as itself a strong argument for preferring John; for it is indisputable that Passover was indeed the major national pilgrim festival. None the less John’s representation of Tabernacles as being a strong reason for going up to Jerusalem clearly accords with our other evidence. Josephus emphasises the special importance of the festival (*Ant.* 15, 50–52) and the requirement to go up to Jerusalem to celebrate it for eight days (*Ant.* 3, 244–471); but, apart from the rules for the festival given by Philo,⁸ perhaps the most striking of all testimony to its significance in this period is Josephus’ casual

reference to the fact that in A.D. 66 Cestius Gallus was able to capture Lydda with ease, because the entire population had gone up to Jerusalem for the feast of Tabernacles (*BJ* 2, 515).

It is also in the context of this celebration of Tabernacles that John represents differences breaking out over the inappropriateness of a *Christos* coming from Galilee, and not from Bethlehem; and it is also here that the arrest and examination of Jesus is first concretely foreshadowed, for their attendants report about him to the *archiereis* (high priests) and *Pharisaioi*, who reproach them for not bringing Jesus with them. We may recall a profoundly relevant episode which, as Josephus records (*BJ* 6, 300–309), took place at Tabernacles in A.D. 62, when a peasant, also named Jesus, began to prophesy in public against Jerusalem and the Temple, was arrested by the *archontes* (magistrates), brought before the then Roman governor, Albinus, flogged, cross-questioned, and finally released as a lunatic.

In John's narrative there follows a long section representing Jesus' preaching and healing, with no explicit indication of his either staying in Jerusalem or leaving it ([18:1–11]; 8:12–10:21). But then there comes a festival described as *ta enkainia* (festival of restoration), in Jerusalem. It can only be Hanukkah, for the meaning, "renewal," is the same, and we are in winter (8:22); Jesus spends his time at the Temple, in the "Stoa of Solomon." We know from Josephus that this festival was celebrated for eight days but not how it was celebrated, except (in general terms) with hymns, sacrifices, and popular rejoicing (*Ant.* 12, 323–25). Jesus again runs into danger, this time the threat of stoning by the mob, and escapes. He then leaves Jerusalem to cross the Jordan to the spot where John had first baptized him, and is called back to raise Lazarus from his tomb at Bethany near Jerusalem (10:40–11:46). It is this miracle which provokes an initial *synhedrion* (meeting) of the high priests and Pharisees, at which they resolve to put Jesus to death for fear of the Roman reaction if all the people were to follow him. Caiaphas makes his first appearance, described as "*archiereus* [high priest] of that year," and utters the proposition that one man should die for the sake of the people. This thought, John says, was in reality an inspired prophecy; for Jesus would die not only on behalf of the people, but so that he might gather together the scattered children of God (11:47–52). The last Passover is approaching, and large numbers are going up to Jerusalem in advance of it in order to purify themselves (11:55). Meanwhile Jesus goes off to the desert, then to Bethany again, and then makes his formal entry

to the city (11:54–12:12).

What is beyond question is, first, that John presents to the reader an incomparably more detailed and circumstantial picture of Jewish life in Palestine, punctuated by the annual rhythm of the festivals, than do the Synoptics. He also represents the earthly activity of Jesus as reaching a series of preliminary climaxes in Jerusalem, in close association with these festivals. As indicated above, there is no way, logically speaking, in which we can distinguish between a “true” narrative and one which is plausible and evidently related to a historical and social framework known from other evidence. On the one hand, *either* we must abandon altogether even the attempt to decide questions of literal truth; *or* we must conclude that nothing in any Gospel has any claim to truth; *or* we must choose. Either Jesus went only once to Jerusalem, for the fatal Passover, or he went several times, for a succession of festivals. Either we have no evidence at all which offers us any access to the earthly life of Jesus, or we must choose between John and the Synoptics. The only criterion of truth in the Gospels which a historian can offer is conformity with the world as portrayed by Josephus, and what we have in John may be no more than a convincing fiction. But, as we must choose, I suggest that the narrative of Jesus’ ministry which brings us closest to the real world of first-century Palestine is that of John.

This suggestion can be no more than that. It is not only that we cannot prove, or disprove, the literal truth of any statements in the Gospels, or demonstrate the validity of one narrative structure as against another. Nor can we ever escape from our inability to distinguish a true story from a convincing literary construction. But since we can hardly fail to *wish* to know more about these events, whether we see them as embodying a divine revelation, or merely the most important single turning point in world history, we both may and should form hypotheses about where we should begin in thinking about the life of Jesus. All of the available accounts give a very large place to the story of how he came to be crucified. I will therefore suggest that if we wish to consider these narratives, we should be open to the hypothesis that the one to which we should give preference is that of John.

The Trial Narratives

As already suggested, the trial narratives occupy a central place in the structure of all four Gospels. Both in scale and in coherence they have

to be taken as representing a significant aspect of what the Gospels, conceived of as narratives, are. It is also quite possible, though it cannot be proved, that they represent the earliest narrative sections to come into existence; on this hypothesis the Gospels, as biographical narratives, will have grown backwards. It is noticeable, as we have seen, that only two of them stretch back to Jesus' birth, both in unconvincing ways, though Luke much more unconvincingly than Matthew.

As is well known, the trial narratives also present profound and irreconcilable differences, Mark/Matthew from Luke and, much more profoundly, all three Synoptics from John. The differences centre both on the timing of the Last Supper and the crucifixion, and, in ways which need more emphasis than they have received, on the *significance* of Passover as a factor which determines how the events unfold. In the Synoptics the Last Supper is a paschal meal eaten on the first night of Passover, the examinations of Jesus take place during that night and in the following morning, and the crucifixion follows on the first day of the festival. In John all this happens one day earlier, and the beginning of Passover, on the evening of the day of the crucifixion, is still expected.

Not all the features of the celebration of Passover as it was in the first century A.D., while the Temple still stood, need to be considered here; and many aspects in any case remain somewhat obscure.⁹ But certain points are crucial. First, Josephus makes clear that the people would begin to assemble some six days before the festival, on the 8th of Nisan (*BJ* 6, 209); we have already seen this reflected in John's narrative when "many went up to Jerusalem from the country before the *Pascha*, so that they might purify themselves" (11:55). Just after this a precise date is given: six days before the *Pascha* Jesus goes to Bethany (12:1).

Passover proper began on the evening of 14th Nisan, though it seems clear that to accommodate the enormous number of private sacrifices now offered by the people in groups, the long sequence of sacrifices had in fact moved back into the afternoon of that day, long before sunset.¹⁰ Indeed the festival cast its shadow even further back, for all of 14th Nisan counted as a day of preparation;¹¹ as we will see, John twice described this day as *paraskeuē* (preparation, 19:14 and 31). He may also single out the first day of the festival, when the *pascha* was eaten, from the (originally separate) days of unleavened bread which followed. That depends on how we read a crucial phrase

in 19:31 (see below). But in any case the later phase of Passover need not concern us. What is, however, crucial is the question of purification, stressed (see below) both by Ezra and by Philo, and apparently affecting all participants, and not just priests. In the same passage in which Josephus gives the total of participants at Passover of (probably) A.D. 66, he too stresses the exclusion of anyone suffering from any form of impurity.¹²

These broad principles, which clearly ignore many finer points, may provide a sufficient framework for understanding the highly significant differences between the various Gospel narratives.

Mark

Mark's account begins with a Last Supper which takes place on the first night of Passover and has as its purpose the eating of the *pascha* (14:12–25), and continues with the arrival of Judas at Gethsemane, accompanied by an armed mob “from the high priests [*archiereis*] and the scribes [*grammateis*] and the elders [*presbyteroi*]” (14:43). Jesus is then led to the high priest (*archiereus*), and all the high priests, elders, and scribes assemble. The scene is the house of the high priest, where Peter is warming himself. Inside, the high priest and “all the council [*synhedrion*]” hear testimonies against Jesus in order to kill him (14:55). Two questions are specifically addressed to Jesus, about his proclamation that he would destroy the Temple, and about his claim to be the *Christos*, which Jesus admits, emphasising his claim with a quotation from Daniel (7:13).

This scene takes place at night, and at dawn Peter makes his denial, and a cock crows (14:66–72). Immediately in the morning, having taken council, the high priest with the elders and scribes and the whole council bring Jesus bound before Pilate, who asks him a different question, “Are you the king of the Jews?” The high priests make further accusations, receiving no reply (15:1–5). There follows an episode involving the custom of releasing a prisoner on the occasion of Pesach, the crowd's demand for the release of Barabbas, “imprisoned with his insurgents [*stasiastai*], who had committed murder in the uprising [*stasis*],” Pilate's dialogue with the crowd, its demands for the crucifixion of Jesus, the release of Barabbas, and the delivery of Jesus for crucifixion. Jesus, now apparently outside, is taken within the house or *prait* ὄριον (*praetorium*), abused by the soldiers, and led off (15:16–20). Simon the Cyrenaican is commandeered en route, the procession reaches Golgotha, and the

crucifixion takes place at the third hour, the cross being inscribed “The king of the Jews,” in what language is not stated (15:21–32).

The whole account, from the arrest to the inscription on the cross, occupies fifty-six verses, or a little over one chapter. It involves two examinations of Jesus, one at night in the house of the high priest and one in the early morning in the residence, or *prait ē rion*, of Pilate; but it represents no formal trial or verdict. The phrase which Mark uses of deliberations in the morning, *symbolion poi ē santes* (15:1), might indeed be read as meaning “having held a council meeting”; but where he uses it elsewhere it means no more than “took counsel” or even “conspired” against Jesus (3:6). Pilate’s order for crucifixion is prompted by the demands of the crowd.

Matthew

Matthew’s account has an almost exactly similar structure, beginning with a Last Supper for the eating of the *pascha* (26:17–29). The mob which arrests Jesus, however, comes from the high priests and elders of the people (*laos*). The high priest to whose house Jesus is brought is identified as Caiaphas, and this time the high priests are omitted from the list of those who assemble there (who are described as “the scribes and the elders,” 26:57). None the less, those reported as seeking false testimony against Jesus are then described as “the high priests and the whole council” (26:59). The reported dialogue is closely similar, and it is followed *again*, at dawn, by the taking of counsel by the high priests and the elders of the people, who bring Jesus bound before Pilate (27:1–2). After a complete inserted episode relating to Judas and the thirty pieces of silver (27:3–10), Jesus appears before Pilate and is again asked, “Are you the king of the Jews?” The episode of Barabbas follows, with the extra detail of Pilate’s being seated on his tribunal (27:19), with the anecdote of his wife’s dream, and the detail of his washing his hands (derived from Deut. 21:6–7). The rest follows as in Mark, except that the reported inscription on the cross is longer: “This is Jesus, the king of the Jews” (27:37).

The narration is thus a little fuller, with extra details, and occupies sixty-four verses, or a matter of a chapter and a half. The structure is identical: two examinations, neither in the form of a trial concluded by a verdict, and an order for crucifixion prompted by the demands of the crowd.

Luke

Luke's account similarly follows a Last Supper which involves the eating of the paschal lamb (22:14–38), and begins with the arrival on the Mount of Olives of Judas with a “crowd” (*ochlos*), not otherwise identified (22:47). When Jesus addresses them, however, they turn out to be (or to include) high priests, captains (*stratēgoi*) of the temple, and elders. They take Jesus to the house (*oikos*) of the high priest, who is not named. Peter's denial follows (22:55–62), but the structure of the narrative then becomes crucially different. For when dawn breaks a formal council of the people (*to presbyterion tou laou*) is convened: “high priests and scribes, and they took him to the *synhedrion*” (22:66). The shift is crucial in two different ways. Firstly, Luke transfers to here Jesus' reply to the question as to whether he is the *Christos*, and his answer quoting Daniel. Secondly, this passage is the only one in the four Gospels which seems to represent a formal meeting of the body normally known in modern literature as “the Sanhedrin.” This concept has its problems, as we will see below; and the term *presbyterion* is used of “the Sanhedrin” only by Luke himself (otherwise in Acts 22:5). However, Luke clearly intends to differentiate between an examination at night in the house of the high priest and some sort of formal meeting of a council in the morning. None the less, even here, no concluding verdict of the meeting is represented.

Luke continues by specifying, as neither Mark nor Matthew does, exactly what accusations were put forward when Jesus was brought before Pilate: “We have found this man disturbing our people, preventing them from giving tribute to Caesar and calling himself *Christos Basileus*” (23:2). However, Pilate asks the same question, “Are you the king of the Jews?” Luke then gives a unique twist to the story by having the high priest (and the crowd?) say that Jesus has been upsetting the people, teaching throughout Judaea, beginning from Galilee. This prompts Pilate to ask if Jesus is a Galilean, and, on discovering that he is, to send him for examination to Herodes (i.e., Herodes Antipas, the tetrarch of Galilee and Peraea), who happens to be in Jerusalem. Herodes examines him, and sends him back to Pilate (23:5–12). There is no inherent improbability in Herodes's presence; Agrippa II, when ruling part of Galilee, and other areas, but not Judaea, was to maintain a palace in Jerusalem, and came there frequently (Josephus, *Ant.* 20, 189–94). None the less, Acts provides a very clear indication of how this episode came to be added by Luke, and by him alone: for in Acts 4:24–28 the early Christian community is found quoting Psalm 2:1–2: “The kings of the earth set themselves,

and the magistrates were gathered against the Lord [*Kyrios*] and against his anointed [*Christos*],” and applying this to the double examination of Jesus before Herodes and Pilate. As is notorious, the fact that an episode in the Gospels is explained or justified in terms of a biblical quotation does not necessarily prove that the episode concerned is invented. But the presence of this episode and its re-emphasis in Acts serves at any rate to underline the freedom of Luke’s use of whatever material he had before him.

In the Gospel Luke returns to Pilate’s dialogue with the high priests and magistrates of the people, whom he summons for a second meeting, and duly refers to Herodes’s inability to find Jesus guilty. With that variation, the exchange leads on to another narrative of the dialogue involving the release of Barabbas, brought in without any explanation of the custom or its relation to Passover, and ending with the delivery of Jesus for crucifixion. The taunting of Jesus by the soldiers is omitted, but Luke chooses to explain that Simon the Cyrenaican was “coming from the field” (23:26), a bit of narrative colour which however sits unconvincingly with the idea that this is the first morning of Passover. The action moves to “the place called Kranion”; the inscription on the cross is given almost as in Mark, “the king of the Jews,” again with no indication of the language used (23:38).

The scene before Herodes, unique to Luke, remains a puzzle, and its inauthenticity certainly cannot be demonstrated. But the crucial variation is the representation of a formal council meeting in the morning, reinforced by a very concrete later reference to Joseph of Arimathea: “he happened to be a councilor [*bouleutēs*], a good man and just (he did not agree with their counsel or deed)” (23:50). Mark had indeed referred to him as a counsellor (15:43)—though Matthew only as a rich man (27:57)—but had necessarily not deployed any allusion to his non-participation in the relevant deliberations.

All the endlessly debated questions as to whether “the Sanhedrin” had the formal right to pass a sentence of death and, if so, whether it was compelled to have that sentence carried out by the Roman governor can thus be relevant to the Gospels only in relation to Luke’s Gospel; for it is only here that something which is clearly a meeting of “the Sanhedrin” is represented as taking place. Luke’s narrative might even gain some support from the provision in Mishnaic tractate Sanhedrin, that that body could only meet as a court in the hours of daylight (4:1). Appeal to the Mishnah will hardly help, however. For

the same passage also lays down that a capital trial could not be held on the day preceding a Sabbath or a festival day. Even disregarding the insoluble question of whether the Mishnah preserves any veridical conception of how justice was exercised before the destruction of the Temple, the notion that an arrest, an examination in the house of a high priest, perhaps also a formal meeting of “the Sanhedrin,” the production of a prisoner before the Roman *praefectus*, popular demands for execution, and the crucifixion itself could all have taken place on the night of Passover and on the following morning must give rise to serious questions. It is time to turn to John’s account.

John

As is well known, the overall structure of John’s narrative differs fundamentally from that which is common to the Synoptics, and those details which do reappear in John mainly do so in a quite different narrative context.

It was mentioned before that the preceding narrative of the Last Supper explicitly locates the event before Passover (13:1), and the lengthy account of it is consistent in betraying no trace of its having been a paschal meal (13:1–17:26). This location in time is to be fundamental to the logic of the story, as we shall see. Further differences also appear immediately. For the armed band which Judas leads out to arrest Jesus in the garden beyond the Kedron valley is composed of the *speira* and attendants of (or sent by) the high priests and the Pharisees (18:3). *Speira* is the normal Greek translation of *cohors*, and the impression that this is intended to be understood as a Roman detachment is confirmed by the reference a little later to its commander as the *chiliarchos*, the normal Greek for *tribunus* (cf. the *chiliarchos* of the *speira* of Acts 21:31, who turns out to be the Roman officer Claudius Lysias). No explanation is given by John of this Roman involvement, and indeed no comment is made on it at all. The combined Roman-Jewish group brings Jesus first to (the house of) Annas, a person not mentioned in any other Gospel in this context, but carefully identified here: “he was the father-in-law of Caiaphas, who was high priest of that year” (18:13). John further identifies Caiaphas by saying that it was he who advised the Jews that it was advantageous for one man to die on behalf of the people (18:14), explicitly referring back to 11:47–52, where the advice had been recorded in the context of a council (*synedrion*) of high priests and Pharisees, and Caiaphas had already been identified as “the high

priest of that year.” If John meant to imply that the high priesthood changed every year, he was of course wrong. But he was correct in that Caiaphas was indeed high priest from about A.D. 18 to 36. His father-in-law Annas or Ananus (the relationship is attested only here) had, however, also earned the designation high priest by holding the high priesthood from A.D. 6 to 15.¹³ The term is thus also applied (by implication) to him when Peter and another disciple follow Jesus into “the house [aul ἑ] of the *archiereus*” (18:15), where Peter makes his first denial. A first examination of Jesus is then conducted by the high priest, evidently Annas, leading to no clear answer, after which Annas sends him bound to appear before Caiaphas the high priest (18:19–24). It is here that Peter is again described as warming himself and making his second denial (18:25–27).

No examination in the house of Caiaphas is represented. There is thus a clear contradiction of all three Synoptic narratives, which represent Jesus as being brought to only one high-priestly house, where the examination is conducted; and specifically of Matthew, who names the high priest as Caiaphas. No taking of counsel in the morning is recorded either, and instead “they took Jesus from [the house of] Caiaphas to the *prait ὄριον*.” The time is indicated clearly, and with it both the crucial element in the whole account and a source of considerable difficulty: “it was morning, and they did not enter into the *prait ὄριον*, so that they might not be defiled, but (be able to) eat the *pascha*” (18:28). The context is thus made quite clear, even if the nature of the defilement which would ensue on entering the *praetorium* of the Roman *praefectus* is not immediately obvious. It is, however, clear, though not explicitly stated, that the group which would otherwise have entered the *praetorium*, coming as representatives directly from the house of the high priest, should be presumed by the reader to have included at least some *kohanim* (priests); this indeed becomes explicit later (19:6). Whether an even more profound significance is to be attached to this precise moment in time depends on how we understand the exchange which then follows between “them” (not identified in any way at this point) and Pilate. He comes out of the *praetorium* to meet them and asks what charge they are bringing. They reply that, if Jesus were not a wrongdoer, they would not have handed him over. Pilate then replies, “Take him yourselves and judge him according to your own law.” They (here defined simply as the *Iudaiōi*) say, “It is not permitted to us to kill anyone.” John’s authorial comment is that the purpose of this was to ensure the fulfilment of Jesus’ own prophecy as to what sort of death

he would suffer (18:32). The comment repeats exactly what John had said at 12:32–33, referring to Jesus' prediction that he would be "raised up" (i.e., on a cross).

Leaving aside for a moment the question of how we should understand the exchange between Pilate and the Jews, it should be stressed that the structure of the narrative which follows depends entirely on the physical separation of Jesus, under arrest in the *praetorium*, and the Jewish group outside. In this narrative Pilate now goes back inside and questions Jesus about his alleged claim to be a king (*basileus*) (18:33–38), and then comes out again to offer the release of Barabbas. John relates the custom to Passover, but puts the explanation of it in the mouth of Pilate addressing the Jews. Barabbas is identified by John simply as a *l'ēstēs*, a brigand (18:38–40).

The episode of the mocking of Jesus, still in the *praetorium*, follows (19:1–3), after which Pilate comes out again and tells those outside that he can find no cause for accusation in Jesus. Jesus then himself comes out (or is brought out, as must be understood), wearing the mock royal crown and robe. When Pilate displays him to those waiting, they, described as the high priests and the attendants, shout "crucify! crucify!" Pilate then "seeks to release him," by which it seems to be implied, though it is not stated, that he has gone outside to speak to the *Ioudaioi* again. For they then shout, "If you release him you are not a friend of Caesar, for anyone who makes himself a king is an opponent of Caesar."

At this point John's narrative again goes in for deliberate and emphatic detail as regards place and time. This has to be understood as a significant feature of it *as narrative*; no presumption can follow as to whether these details are or are not historically valid. Pilate's response to these shouts is to lead Jesus out again and take his seat on his tribunal (*bēma*) "in the place called Lithostrōtos, but *Hebraïsti* 'Gabbatha'" (here as elsewhere it is not clear whether Hebrew or Aramaic is referred to by *Hebraïsti*). The time is given with equal precision: it was the day of preparation for the *pascha*, and the time was "about the sixth hour." The location is clearly understood to be a paved stone courtyard, out of doors, and immediately outside the *praetorium*; it was in this courtyard that the regular tribunal from which the governor gave jurisdiction and held audience was situated. Matthew also mentions the *bēma*/tribunal (27:19), but does not give its location; and the consistent separation of inside, with consequent impurity, and outside, in the open air, plays no part in the Synoptic

narratives. Nor of course does this indication of the date and time.

Once seated on his tribunal, Pilate responds to shouted demands for crucifixion by asking, "Shall I crucify your king?" and the high priests answer, "We have no king but Caesar." John then appears to say that Pilate handed Jesus over to them for crucifixion (19:16), and continues by saying that "they" took him. But as the narrative unfolds it becomes clear that the execution, and the division of Jesus' clothing (fulfilling Ps. 22:18), is being conducted by Roman soldiers (19:23–24). John's detailed and concrete narrative style is demonstrated to the end, though he makes no reference to Simon the Cyrenaican. Jesus is brought "to the place called (place of) a skull, or, as is said *Hebraïsti*, 'Golgotha'"; he thus reverses the equivalence stated by Mark (15:22). The element which is central to all accounts of the crucifixion, the inscription on the cross, is given here in much more detailed form. First, a longer version of the text itself is offered: "Jesus the Nazarene, the king of the Jews" (19:19). John goes on to say that many Jews read the inscription (*titlon*) since it was written *Hebraïsti*, *R ̄ maïsti*, *Hell ē nisti* (in Hebrew or Aramaic, in Latin, in Greek). The use of the Latin loan-word *titlos* (from *titulus*) is unique to John among the four Gospels. So is the indication of the trilingual character of the inscription. John alone concludes his narrative with an exchange between Pilate and "the high priests of the *Ioudaioi*," who complain that the appellation "king" should have been set out as what Jesus had claimed to have been, and not as the actual truth.

A step-by-step analysis of the structure of John's narrative is essential if we are to avoid the trap of attempting to amalgamate the separate accounts, or of selecting convincing details from each, to make up a historical reconstruction of "what really happened." John's account is in no way compatible with those of the Synoptics. It is not only that there are many different details, or even that the sequence of events unfolds quite differently. It is that the overall setting of these events in relation to the Jewish calendar is different, and significantly different: the Last Supper does not have the character of a paschal meal, and the nature of the exchanges between Pilate and the Jewish leaders is entirely determined by their refusal to enter the *praetorium* in order to avoid pollution, and thus not be prevented from eating the *pascha* later that day.

It has to be admitted that no precise explanation can be offered as to why John should have presumed that entering the *praetorium* would (or might) have entailed defilement. All that we know of the period

suggests that, with certain momentary exceptions, the Romans avoided bringing into Jerusalem images which would offend Jewish sensibilities. Nor is there any reason to suppose that appearing before the governor would have involved any hospitality by way of food or drink. The context does, however, clearly suggest the idea either that the location, indoors, itself might impart pollution, or that contact with gentiles, in a relatively confined space indoors, as opposed to the open-air courtyard, might do likewise. None the less, however uncertain we may be as to the precise rules of purity involved, it is not impossible to find in earlier or contemporary Jewish writing expressions relating to fitness for Passover which might reflect a general awareness of the need for extra caution.¹⁴ So for instance Ezra 6:19–22:

The children of the captivity kept the Pascha upon the fourteenth (day) of the first month. For the priests and the Levites had purified themselves together; all of them were pure: and they killed the *pascha* for all the children of the captivity, and for their brethren the priests, and for themselves. And the children of Israel, which were come again out of the captivity, and all such as had separated themselves unto them from the filthiness of the heathen of the land, to seek the Lord, the God of Israel, did eat, and kept the feast of unleavened bread seven days with joy: for the Lord had made them joyful, and had turned the heart of the king of Assyria unto them, to strengthen their hands in the work of the house of God, the God of Israel.

The notion of the need for purity as extending to all, not only to priests, is also expressed very clearly in a source directly contemporary with the crucifixion, Philo's *de specialibus legibus* 2:145–46:

After the New Moon comes the fourth feast called the Crossing-feast, which the Hebrews in their native tongue call Pascha. In this festival many myriads of victims from noon till eventide are offered by the whole people, old and young alike, raised for that particular day to the dignity of priesthood. For at other times the priests according to ordinances of the law carry out both the public sacrifices and those offered by private individuals. But on this occasion the whole nation performs the sacred rites and acts as priest with pure hands and complete immunity. The reason for this is as follows: the festival is a reminder and thank offering for that migration from Egypt . . .

Moreover, as J. A. T. Robinson pointed out,¹⁵ the Mishnah seems to offer a conception of a possible context for the incurring, or non-

incurring, of impurity which fits precisely with the presuppositions of John 18. For the tractate *Oholoth* states categorically (18:7) that “the dwelling places of gentiles are unclean.” We can reasonably conclude that the notions embodied in John’s narrative are at least not provably inapplicable to this period.

However, far more significance than that *may* attach to the much discussed exchange between Pilate and the Jewish leaders, in which he says to them, “Take him yourselves, and judge him according to your own law” to which they reply “It is not permitted to us to execute anyone” (18:32). Their reply has sometimes been read as an allusion to a fixed and universal ban on the carrying out of executions (and capital trials?) by the local Jewish authorities, in view of the equally established reservation of that right to the Roman governor.¹⁶ Indeed it has often been quoted as one of the conclusive items of evidence for the existence of such a rule. If so, however, it must be regarded as reading very strangely. For the narrative must represent the Roman *praefectus* as being unaware of this rule, and as being informed of it by the high-priestly group before him. Such a reading, however strange, is not however impossible, *if* we conceive of the exchange as a feature of John’s narrative style, in which necessary explanations are sometimes given by speakers to respondents who in the “real world” might be presumed not to have needed them. An example already referred to, occurs a few lines later, when Pilate says, “You have a custom by which I should release one man to you at Passover” (18:39).

None the less, seeing the exchange as such an authorial device is not the most natural way of reading the passage; and it does have to be emphasised that what we are doing *is* reading a narrative; so how we understand what we read ought to be determined in the first instance by the nature of the information and interpretation which the author has already provided. In that light the most significant guidance and explanation provided by John is given only four lines before: that it was morning, and that they would not enter the *praetorium* because they wanted to avoid pollution and be able to eat the *pascha*. In that light the exchange reads quite naturally. Pilate tells them to *judge* him (he does not here say *execute* him) according to their own law. And they reply that it is not allowed to them to execute anyone. Not allowed by the Romans? Such an interpretation is possible, as we have seen, but very strained. Or not allowed by *Jewish* law? It immediately makes sense, for we are in the morning before

Passover and an execution was surely not permitted. We hardly need the Mishnah (*Sanhedrin* 4:1) to tell us, as we have seen, that capital trials could not be conducted on the day before a Sabbath or a festival, because a capital sentence could not be pronounced until the day following the trial. It should be stressed that to emphasise the possibility of reading the text in this way is not at this point to make any assertion about “what actually happened,” or about the rules of capital jurisdiction which generally prevailed in the real world of first-century Judaea. It is to suggest a way of understanding what story John is telling—one to whose entire logic, as we have seen, the approach of Passover is fundamental. John reminds us of this at the moment when Pilate takes his seat on his *tribunal*: “And it was the preparation of the *pascha*, and it was about the sixth hour” (19:14). So he does again immediately after Jesus’ death, when the *Ioudaioi*, since it was “preparation,” ask that the bodies of Jesus and the two robbers may be taken down so as not to remain on their crosses “on the Sabbath,” by which he perhaps means “on the day of a festival” (19:31). If that seems doubtful, we should note that some lines later, when Mary Magdalen comes early in the morning, when it is still dark “on the first (day) of the Sabbath” (20:1), John surely means “on the first of the festival days.”¹⁷

The structure of the narrative and its religious meaning and context are derived from its location on the day of preparation and the approach of Passover. It is surely suggestive that one reader who without hesitation “read” 18:31, “it is not permitted to us,” as an allusion to the restrictions imposed by *Jewish* law was Saint Augustine: “But it should be interpreted as meaning that it was because of the sanctity of the festival, which they had already started celebrating, that they said that they were not allowed to execute anyone; because of this they were afraid of becoming polluted by entering the Praetorium.”¹⁸

Conclusions

This discussion has not attempted to present firm conclusions, which are unattainable, but a series of approaches to the question of how we should attempt to understand our evidence on how Jesus came to be crucified. The primary suggestion is that in studying both the course of Jesus’ life and the manner of his death, we must not proceed by amalgamating data from all four Gospels. That is illegitimate, because not merely the details, but the entire structure of the story as told by

John is different from that in the Synoptics. Our evidence consists of coherent texts, and even where they contain common items, derived either from each other or from a hypothetical common source, or sources, any approach must respect the integrity of these texts as embodying different narrative structures. Any attempt to answer the inescapable question of “what really happened” must therefore involve a choice. No arguments for any particular choice can be conclusive, but without such a choice our selection of elements to prefer must remain merely arbitrary. Given the necessity of choice, this paper offers the suggestion that, both as regards the narrative of Jesus’ life and the culminating story of how he met his death, we should give our preference to John.

The expression of such a preference can in itself be no more than a hypothesis. That is to say that our position should be as follows: if, hypothetically, we accept John’s Gospel as offering us the best account which we have of the steps which led to the crucifixion, what are the consequences?

Firstly, the arrest, successive examinations, and crucifixion of Jesus took place not on the first day of Passover, but on the day before, from evening to midday. The Last Supper was therefore not a paschal meal at which the paschal lamb was eaten, following the custom by which, by extension, a ceremony originally conducted solely in public in the Temple had become also a domestic ritual. Instead it was merely a meal on the night before. We would thus have to accept that it is the Synoptic accounts which have turned it, not very convincingly, into a paschal meal.¹⁹

Secondly, we would have to accept the assertion, unique to John, that the arrest of Jesus was carried out by a Roman cohort under a tribune, guided by Judas and assisted by attendants sent by the high priests and Pharisees. If so, that places him closer to the category of the long succession of popular religious leaders, all viewed as instigators of popular disorder, who are known from the pages of Josephus, and all of whom, with their followers, Jewish and Samaritan, were repressed by Roman forces. Jesus must by implication have been viewed as being more like these than like the solitary and apparently unbalanced pseudo-prophet, the other Jesus, arrested by the Jewish magistrates at Tabernacles of A.D. 62 (see above).

Most important of all, however, is the fact that John’s narrative, in which Passover has not yet arrived, gives Passover a much more

fundamental relevance to what happened—and how—than do the Synoptics, which, while describing these events as occurring on the first night and morning of Passover, ignore the significance which we must presume to have attached to it in real life. For it is indubitable that Passover was the most important of the annual Jewish festivals in this period. Matthew and Mark, it is true, do not claim any more than that the Jewish authorities arrested Jesus on that night, examined him in the house of a high priest, and accused him before the Roman *praefectus* in the morning, pressing on Pilate the necessity of crucifixion, to which he assented, and which then took place. Even that may seem incredible in view of the requirements of purity imposed during the festival. But Luke goes further, and represents the calling of a regular council in the morning, after the examination in the high-priestly house, and before the accusation before Pilate. If such an event really occurred, it must have offended even more profoundly against the rules later propounded in the Mishnah—and more importantly against the underlying beliefs about the sanctity of the festival which gave rise to those rules.

In John, by contrast, Passover, which has not yet arrived, dominates everything. It is because Jesus is brought before Pilate on the morning of the day whose evening will see the onset of Passover that Jesus' accusers will not enter the *praetorium*. It is, on this interpretation, because the sanctity of the festival prevents the holding of a capital trial even on the day before, that they tell Pilate, "It is not permitted to us to kill anyone." It is because they (unlike Jesus, who has no choice) remain outside the *praetorium*, that Pilate conducts the examination by alternating between questioning Jesus inside and confronting his accusers, and the crowd, outside, in the paved courtyard. This courtyard, identified only by John, has a regular *tribunal* (בֵּית דִּין) on which Pilate formally takes his seat when he finally brings Jesus outside to confront the Jewish crowd. Nothing is described here, however, any more than in the other Gospels, which could count as a formal trial by Pilate. There is no formal accusation and defence; no opinions are asked of the governor's council; and no formal verdict is pronounced. As with the other Gospels, in John the decision by Pilate to have Jesus executed is not represented as a verdict concluding a trial, but as a political decision taken as a concession to political pressure both from the Jewish authorities and from the crowd. The long-debated question of whether it was the Roman governor or "the Sanhedrin" which had the legal right to try capital cases in first-century Judaea and to order the execution of

those condemned on capital charges may be doubly misconceived, if it is thought to be directly relevant to how we interpret the Gospels. For, firstly, it has already been suggested that we should think rather of the pattern presented by Josephus' account of the execution of James, when the high priest summons "a council [*synedrion*] of judges" (*Ant.* 20, 200); that is to say, when the occasion arose, the high priest called together a group of citizens of his own choosing, just as a Roman official would summon a council (*consilium*).²⁰ Secondly, of the four Gospels, only Luke represents anything that we could think of as a meeting of "the Sanhedrin" and does so in a context (the first day of Passover) which is highly improbable. For the rest, what we see is an examination in the house of a high priest; or rather, in John's case, of the two successive high priests, whose current roles are carefully (and correctly) specified; again the distinction between the high priest currently in office (Caiaphas) and an ex-holder with the rank of high priest is unique to him. Since no Gospel represents Pilate's decision as a formal verdict, there is a very clear sense in which the entire notion of "the trial of Jesus" is a modern construct.

If instead it was a political decision, then it is again John who gives the clearest conception of its motivation. As Martin Goodman points out, Annas/Ananus was the first high priest to be appointed by a Roman *praefectus* after the provincialisation of Judaea in A.D. 6, and he and Caiaphas between them occupied the position for all but about three of the first twenty years of the provincial period. They cannot but be seen as having collaborated successfully with the occupying power. That Caiaphas actually expressed the view that it was worth sacrificing one man to prevent Roman retribution on the whole people (Jn. 11:50) cannot of course be known. But the thought would have corresponded well enough to the logic of the political situation. Moreover, *either* we know nothing whatsoever about the crucifixion *or* we can at least accept the one detail on which all four Gospels agree, that on the cross Jesus was described as "King of the Jews." Only John adds the detail that this inscription was called by the borrowed Latin term *titlos* (*titulus*), and that it was written in three languages. More important, it is he who represents Pilate's final dialogue with the crowd as turning on just this point: "If you release this man, you are not a friend of Caesar; for anyone who makes himself a king opposes Caesar," "Behold your king!" "Take him and crucify him," "Shall I crucify your king?" "We have no king but Caesar." Philo's *Against Flaccus* happens to provide a precisely contemporary analysis of the susceptibility to such pressure of a Roman governor who feels himself

to be out of favour with the emperor (*Flacc.* 3–4/8–23).

It was still the day of preparation for Passover (*paraskeuē*), about the sixth hour; there was still time for the crucifixion to take place, and for the bodies of Jesus and the two robbers to be taken down before the festival proper began (19:31), though the tomb where the body was laid had to be close because of the “preparation of the Jews.” By the next morning it was already of course the first day of the festival, or, as John puts it, “the first day of the Sabbath” (19:42–20:1). It is the approach of Passover which dictates every aspect of how the story unfolds, just as, in John’s narrative, Jesus’ life as a Galilean holy man is structured by the need to go up repeatedly to Jerusalem to the annual cycle of festivals. This necessity should, I suggest, be seen as of crucial importance. It is remarkable that, even in recent years, it has seemed possible to discuss the “Palestinian Judaism” of this time as a purely personal religion, without giving a central (or indeed any) place to the communal worship and sacrifice at the Temple.²¹ But John’s narrative may precisely reveal the centrality of this communal sacrificial cult in the life of Jesus. If his portrayal gives us a Jesus who is less far from “the historical Jesus” than the one whom the Synoptics represent, then we can at least perceive that their attachment to these festivals was one thing which Jesus and his accusers shared. It was not Roman law but their own which made them say, at that moment, “It is not allowed to us to execute anyone.”

Notes

* First published in P. R. Davies and R. T. White, eds., *A Tribute to Geza Vermes: Essays on Jewish and Christian Literature and History* (Journal for the Study of the Old Testament, supp. ser. 100, 1990), 355–81.

1. I do not wish to enter into this question, but draw attention to the powerful converging arguments advanced for Passover of A.D. 36 by N. Kokkinos, “Crucifixion in A.D. 36: The Keystone for Dating the Birth of Jesus,” in J. Vardaman and E. M. Yamauchi, eds., *Chronos, Kairos, Christos: Nativity and Chronological Studies Presented to Jack Finegan* (1989), 133.

2. I should note here the use I have made over the years of A. Wikenhauser, *Einleitung in das Neue Testament*⁵ (1963), and D. Guthrie, *New Testament Introduction* (1970), and more recently L. T. Johnson, *The Writings of the New Testament* (1986). On the specific question of

the trial narratives, see especially E. Bickerman, "Utilitas crucis," *RHR* 112 (1935): 169 = *Studies in Jewish and Christian History* III (1986), 82; A. N. Sherwin-White, *Roman Society and Roman Law in the New Testament* (1963); P. Winter, *On the Trial of Jesus*² (1974); O. Betz, "Probleme des Prozesses Jesus," *ANRW* II, 25.1 (1982), 565.

3. My use of, and emphasis on, John clearly owes much to C. H. Dodd, *Historical Tradition in the Fourth Gospel* (1963), and to J. A. T. Robinson, *The Priority of John* (1985). See now M. Hengel, *The Johannine Question* (1989).

4. For the historical framework and datings, and above all the crucial question of the census of A.D. 6, see Schürer, Vermes, and Millar, *History* I, 326–27.

5. *P. Lond.* 904, lines 18–38; *Sel. Pap.* II, no. 220.

6. See, e.g., *BJ* 2, 10–13; 2, 224–27; 2, 280–83; 6, 422–27; *Ant.* 17, 213–18; 20, 106–12.

7. See, e.g., *BJ* 2, 232–33; *Ant.* 20, 118–21.

8. Philo, *De Spec. Leg.* 1, 189; 2, 204–13.

9. I rely on the very interesting, if not always entirely clear or conclusive, discussion by J. B. Segal, *The Hebrew Passover from the Earliest Times to A.D. 70* (1963).

10. For the conduct of the sacrifices in daylight, during the afternoon of 14th Nisan, see Segal (n. 9), 233, using *Jub.* 49. For the process of sacrificing in groups, amounting to vast numbers of individuals in all, see Josephus, *BJ* 6, 423–26. On Josephus' account, at Passover of (apparently) A.D. 66, 295,600 victims were sacrificed on behalf of groups of ten to twenty each, these sacrifices being carried out between the ninth and the eleventh hour, hence towards evening, but before sunset.

11. For this point, cf. Segal (n. 9), 245, which does not however cite any very clear evidence. The term *paraskeuē* is attested as meaning "the day before Shabbat," e.g., Josephus, *Ant.* 16, 163, but so far as I know not elsewhere unambiguously in relation to a festival. But (see below) Jn. 19:14 uses "*paraskeuē* of the Pascha."

12. *BJ* 6, 425–26: "all pure and holy. For those afflicted with leprosy or gonorrhoea, or menstruating women, or persons otherwise defiled were not permitted to partake of this sacrifice." See S. Safrai, "The Temple," in *Jewish People in the First Century* II, 865ff., on 891–92.

13. For the family, see now D. Barag and D. Flusser, "The Ossuary

of Yeho^hanan Granddaughter of the High Priest Theophilus,” *IEJ* 36 (1986): 39.

14. The quotations are borrowed from Segal (n. 9), 10 and 26.

15. Robinson (n. 3), 228–29.

16. See, e.g., Sherwin-White (n. 2), 32–33.

17. The interpretation of all these expressions seems to me extremely problematic, and I am not convinced that any of them clearly indicate what day of the *week* (as opposed to what day before, or of, Passover) John means to represent. In particular the Anchor Bible translation of 20:1 as “the first day of the week” seems to me quite impossible. For in that case Shabbat, as the *last* day of the week, has disappeared.

18. The quotation comes from Augustine, *In Joh. Ev. Tract.* 114, 4 (CCL XXXVI, 641). The same point is made very briefly by John Chrysostom, *In Joh. Homil.* 73, 4 (PG LIX, col. 452).

19. So, e.g., Segal (n. 9), 245.

20. For this suggestion, see M. Goodman, *The Ruling Class of Judaea: The Origins of the Jewish Revolt against Rome* (1987), 113–14.

21. So E. P. Sanders, *Paul and Palestinian Judaism* (1977), part I: “Palestinian Judaism.”

CHAPTER EIGHT

The Roman Coloniae of the Near East: A Study of Cultural Relations



Introduction

“The history of Roman colonisation is the history of the Roman state”: so Ernst Kornemann, in his standard article on Roman *coloniae*.¹ The following survey of the *coloniae* which the emperors created between the late first century B.C. and the middle of the third century A.D. in the Fertile Crescent—or, on a different definition, in those provinces of the Roman Empire where both Greek and various Semitic languages were spoken—cannot of course contribute directly to an understanding of the earlier phases of that history. But it does very vividly reflect the rapid progression in the nature of the “colonising” process itself, from the one unquestionable military *colonia* of the Augustan period, Berytus, with its wide territory extending over the Mount Lebanon chain into the Bekaa valley, to the three *coloniae* of the first and second centuries A.D., all in or on the borders of Judaea, to a wholly new phase in the Severan period and the following decades, when the title *colonia* was granted to towns all over the region, including the new province of Mesopotamia, and thus came into use almost as far east as the Tigris.

But the process of colonisation, or of the conferment of the title *colonia*, was also one of many forms of intervention by Rome in the social structures and communal identities of a region long since Hellenised, but where a variety of other ethnic identities, most of them extremely difficult for us to characterise without distortion, were still very important factors.² Roman colonisation naturally introduced a new element into this already complex scene, and in this sense it can be perceived from a quite different angle, not as part of the history of Rome but as an element in the cultural history of the Fertile Crescent. Of all the Roman *coloniae* of this region, only one, Berytus, with its hinterland which was later separated off as the *colonia* of Heliopolis,³ represented a substantial island of Romanisation, of Latin language and culture, and of Roman law, which was to last into the late Empire. But this *colonia* too was established in the context of an already-

existing Greek, or Graeco-Phoenician, city, and inevitably took on many of the roles and forms of public life associated with a Greek city. The same was *a fortiori* true of the others, all of which, with one exception, show a profound continuity with the Greek cities which preceded them. The exception is Aelia Capitolina, founded by Hadrian on the ruins of Jerusalem, destroyed as a Jewish city in the great revolt of A.D. 66, and now recreated as a pagan city after the Bar Kochba war of A.D. 132–35. But even Aelia, like the other *coloniae* of this region, and unlike almost all those of Italy, Africa, and Europe, continued to mint coins until the mid-third century.⁴ For minting was a normal, if not universal, characteristic of cities in this region, and nearly every *colonia*, real or titular, acted likewise. The rank of *colonia* was to become, among other things, simply another status, like that of *metropolis*, to which a city might aspire. In contemporary literature or documents, depending on the context, the title *colonia* might deserve mention, or might not. The latter, for instance, was the case when a boxer put up an inscription at Aphrodisias in Caria in about A.D. 165 to record his world-wide victories. When he lists the places in the Syrian region where his victories had been won, his words represent a wholly Greek world, in which Roman colonisation is invisible, just as is the non-Greek element: “at Damascus, the men’s *pancration* [all-in wrestling] twice, at Berytus the men’s *pancration*, at Tyre the men’s *pancration*, at Caesarea Stratonos the men’s *pancration*, at Neapolis of Samaria the men’s *pancration*, at Scythopolis the men’s *pancration*, at Gaza the men’s *pancration*, at Caesarea Panias the men’s *pancration* twice, at Hieropolis the men’s *pancration*. . . .”⁵ Berytus and Caesarea were already *coloniae* (and, as it happens, Damascus, Tyre, Neapolis, and Gaza were later to gain the same status).

That was not, however, the whole story. The impact of Roman rule was reflected, among other things, by the entry not only into Greek but into Semitic languages of a long list of Latin terms, among them *colonia* and its cognates.⁶ Some of these will be considered further below, above all in connection with Palmyra and Edessa. But it may be instructive to mention here, as an example of the complex cultural context into which these Roman *coloniae*, or nominal *coloniae*, were inserted, two inscriptions, one from Apamea and one from Palmyra. In Apamea, in the reign of Hadrian, we find the peculiar institutions of the *colonia* of Berytus reflected in an inscription honouring an actor: among other distinctions he was

ἐν κολωνείᾳ Βηρύτῳ τετειμημένον σεξβερὰτι

(AE 1976, 686). The term is not other-wise attested in Greek transliteration, and the form in which it is given is presumably intended to represent the Latin ablative *sexviratu*. Then, from a century later, there is a Palmyrene bust of the first half of the third century, now in the Louvre, which represents a man with a Greek-Latin name, who is a citizen not of Palmyra itself but of the *colonia* of Berytus.⁷ The subject is identified in a bilingual inscription, in Greek on the left and Palmyrene on the right, as follows:

Μάρκος Ιούλιος / Μάξιμος / Ἀριστείδης, / κόλων / Βηρύτιος, /
πατὴρ Λου/κίλλης γυ/ναικὸς Περ/τίνακος

MRQWS YWLYWS MKSMWS / 'RSTYDS QWLWN / BRTY'
'B(W)H DY / LWQL' 'TT PRṬNKS

The Latin word *colonus* has thus become a pseudo-Greek word, *κόλων*, and from there has been transliterated into Palmyrene as an intelligible form of identification of a person from the *colonia* of Berytus. Similar transliterated forms were already in use for the institutions of Palmyra itself, or very soon would be, as we will see (text to nn. 158–66). But, as we will also see, allusions to cities as *coloniae* and to their inhabitants as preserving the relevant status are very rare after the third century; it remains unclear whether this is because such statuses had genuinely ceased to be relevant; or because the city coinages of the Greek East had ceased in the second half of the third century,⁸ or because the “epigraphic habit,” though it had not ceased, had greatly declined. Moreover, Palmyrene, a language which is known only through inscriptions, and whose vocabulary is exceptionally rich in loan-words, ceased to be inscribed soon after the reconquest by Aurelian.⁹

It is therefore all the more striking that even in the late fifth century, in a period when to all appearances the status of *colonia* had long ceased to be of any importance, we still find preserved in the Babylonian Talmud a reflection of the possibility which had existed in the early Empire, of asking the emperor to grant the rank of *colonia* to a city. For the treatise *Avodah Zara* (on pagan worship) contains a tale of an emperor called “Antoninus” (conceivably Caracalla) saying to “Rabbi” that he wishes “to make Tiberias a *colonia*”—TT‘BYD Ṭ BRY’ QLNY’.¹⁰ This elevation, so far as we know, did not in fact occur, and the story may very likely be legend. But the Severan period was exactly that in which a whole series of places not far away—Heliopolis, Tyre, Sebaste, Emesa, Sidon, Petra, Bostra, followed in the

midcentury by Neapolis and Philippiopolis—did gain this status. It had been something to which a middle-rank town like Tiberias could then reasonably have aspired.

That aspiration, whether a historical reality in itself or not, reflects the third, final, and most complex stage of Roman “colonisation” in the Near East. The three stages can be regarded as quite distinct: firstly, the settlement of a veteran *colonia* at Berytus under Augustus; secondly, the three *coloniae* of, or on the borders of, Judaea, namely Ptolemais, Caesarea, and Aelia Capitolina, founded between the mid-first and mid-second century A.D.; and, thirdly, the widespread grants of the status of *colonia* in the Severan period and the mid-third century, extending far into the newly conquered territory of Mesopotamia. The successive phases will be discussed in order here; given the importance and novelty of the nature of “colonisation” under Severus, that period will be discussed separately from the remaining period up to the mid-third century.

Berytus and Its *territorium*; Heliopolis

Alone of all the *coloniae* to be considered here, Berytus belongs in the only major phase of organized veteran settlement outside Italy in Roman history, the age of Caesar and Augustus.¹¹ Before that period organised colonial settlement outside Italy was almost unknown: the *colonia* of Narbo in southern Gaul (118 B.C.) was indeed the only example of a pre-Caesarian provincial colony which was successfully established and survived as a formal entity. After the reign of Augustus, actual *coloniae*, involving the establishment of settlers and the formation of a new city constitution, can be found; but they are not common, and it becomes increasingly difficult to distinguish such a settlement from the mere conferment of the title *colonia* on an existing city, with some or all of the associated rights. An extra complication is added to the question by the fact that one of our best and most used items of evidence on the formal and legal character of *coloniae* comes not only from the main period of the creation of nominal *coloniae*, but from a citizen of one of them, Domitius Ulpianus from Tyre (text to n. 131 and following it).

Berytus, however, represents a quite different case.¹² Strabo’s contemporary account of its settlement, though not entirely clear as to the precise extent of its *territorium*, provides all the essentials: “But though Berytus was razed to the ground by Tryphon, it has now been restored by the Romans; and it received two legions, which were

settled there by Agrippa, who also added to it much of the territory of Marsyas as far as the Orontes river.”¹³ Of the history of Berytus as a Hellenised Phoenician city in the late Hellenistic and then Roman republican periods very little can be known; but Strabo records, just before the passage quoted above, that robbers established on Mount Lebanon had been able to ravage both Berytus and Byblos (16, 2, 18 [755]); and the coinage of Berytus indicates that the city had been included in Antonius’ grant of the coast of Phoenicia to Cleopatra, made perhaps in 37/6 B.C.¹⁴ The evidence is sufficient to make clear that Berytus will have shared in the generally disturbed history of the region in the mid-first century B.C.,¹⁵ without providing any conclusive reason why the one Roman *colonia* should have been placed there rather than anywhere else. But Strabo’s words suggest a military purpose, in relation to the unsubdued mountain zone behind; or rather two mountain zones, the chain of Mount Lebanon and to the east that of Anti-Lebanon, with the Marsyas, or Bekaa valley, and the sources of the Orontes, in between.

Jerome’s Chronicle offers a firm date for the foundation of the *colonia*, as of the *colonia* of Patras, 15 B.C.¹⁶ Since Strabo (above) attributes the foundation to Agrippa, and this was a period when he was present in the Syrian region, the dating can be accepted. It is not impossible, however, in the case of Patras that a settlement of legionaries after Actium was followed only later by the formal creation of a new *colonia*, which incorporated a substantial number of inhabitants of the surrounding region.¹⁷ If that sequence is valid, which is not wholly certain, the same may perhaps have applied to Berytus. But if some slight uncertainty prevails as to the date, the essential fact that this was a genuine veteran *colonia* is secure. It is consonant with that fact that both its foundation by the favour of Augustus continued to be recalled, and that Berytus was regarded as possessing what was later at least described as the *ius Italicum*. So Ulpian writes in the first book of his *de censibus*: *Sed et Berytensis colonia in eadem provincia* (Syria Phoenice, as it had become in Ulpian’s time), *Augusti beneficiis gratiosa, et (ut divus Hadrianus in quadam oratione ait) Augustana colonia, quae ius Italicum habet* (Dig. 50, 15, 1, 1). Ulpian’s quite flowery Latin is not free from obscurity; but in the context he clearly means (at least) that the new *colonia* paid no *tributum*.

Effectively nothing is known of the urban character of late Hellenistic Berytus, and we do not know whether or not a

fundamental restructuring of the urban plan will have taken place in the case of a *colonia* established on the site of an existing city. The ancient rituals for the foundation of a *colonia* are indeed represented, along with the *signa* of the legions V Macedonica and VIII Augusta, on coins issued by Berytus from the reign of Augustus onwards.¹⁸ But coins representing a founder ploughing with an ox and a cow, while they may be records of an actual historical event, the marking out of a new boundary for Berytus in 15 B.C., cannot be assumed to be so. Their significance may be purely symbolic. But, while we also do not have any evidence for an urban restructuring of Berytus to compare with Josephus' account of Herod's re-foundation of Strat̄nos Pyrgos as the new city of Caesarea,¹⁹ we do know that Herod's munificence in providing public buildings for cities in the Syrian region embraced Berytus also: "Thus he provided gymnasia for Tripolis, Damascus and Ptolemais, a wall for Byblos, halls (exedras), porticoes, temples and market-places (agoras) for Berytus and Tyre, theatres for Sidon and Damascus, an aqueduct for Laodicea on the sea, baths, sumptuous fountains and colonnades, admirable alike for their architecture and their proportions, for Ascalon."²⁰ It is interesting that Josephus, although of course aware that Berytus was a Roman *colonia*,²¹ does not see Herod's contribution to public building there as different in kind from that which he made in the case of Greek cities.

The evidence does not in fact allow us to say more than that Berytus, in the imperial period, acquired the normal apparatus of public buildings, adorned with Corinthian columns, which characterised the more important provincial cities. The fragmentary archaeological and architectural traces recovered from beneath the modern city confirm this, without proving that the city was distinctively Roman in appearance, or different from the surrounding Greek cities.²²

The munificence of Herod was followed by that of his grandson Agrippa I. But here perhaps we can see reflected the particular status and particular cultural character of the place. For Agrippa, as well as building a theatre, provided an amphitheatre, something not unknown, but certainly not typical, in Greek cities,²³ and then laid on there gladiatorial shows involving 1,400 condemned criminals.²⁴ The gladiatorial show was one of the most distinctive Roman importations into the communal life of the Greek East, and this report represents one of the earliest items of evidence for its intrusion there;²⁵ it is perhaps not an accident that the shows took place, in a newly built

amphitheatre, in a Roman *colonia*.

We cannot be equally sure that there was anything distinctively Roman about the benefactions of Agrippa's son, Agrippa II, in the reign of Nero. He too is recorded as having built a theatre (a new one, or rebuilding the existing one?), and having put on lavish shows; but he also distributed both grain and oil, the latter surely more characteristic of popular expectations in a Greek city. Beyond that he adorned the city with statues and "eikones which were copies of ancient ones."²⁶ It is far from clear what this means. Were they copies of classical Greek sculptures (like the statue of Augustus in his temple at Caesarea, modelled on Pheidias' Zeus at Olympia, and the *Romē* modelled on the Hera from Argos)?²⁷ Or something like the bronze statues of figures from Greek mythology, installed in the early second century at the new baths in Apamea on the Orontes?²⁸ Or were these images ones which more specifically recalled the Roman character and origins of the city?

The latter is not impossible. For, while there is every reason to presume that the new *colonia* incorporated the existing inhabitants of Berytus and its hinterland as far as Anti-Lebanon, and while it is generally characteristic of those Roman *coloniae* in the Greek East whose epigraphy has been studied that the use of the Greek language steadily reasserted itself,²⁹ it is very distinctive of Berytus that its Roman and Latin character was heavily emphasised from the beginning and remained clearly visible at least until the fourth century. The city's public use of Latin is for instance still embodied in an inscription of A.D. 344, from the base of a statue at Berytus representing Flavius Domitius Leontius, praetorian prefect and *consul ordinarius*: *ordo Berytiorum statuam sumptibus suis ex aere locatam civili habitu dedicavit*.³⁰ Without unnecessarily multiplying examples, the public use of Latin there can easily be traced back through the Tetrarchic (*CIL* III 14165⁷) and Severan³¹ periods to the second century. It was then, as it seems, that for instance M. Sentius Proculus was a decurion and *duumvir*, and subsequently embarked on an equestrian career before entering the Senate, and being honoured as *patronus coloniae* with at least two statues, as their bases, inscribed in Latin, attest.³² From the second half of the first century a Latin inscription records the restoration by Agrippa II and Berenice of a building whose name is lost [*quod rex Herodes, proavos eorum fecerat*, adorned with marble and columns (*AE* 1928, 82).

Yet another Latin inscription comes from an altar dedicated to the

Fortuna of the Genius of the Colonia by M. Iulius Avidius from Emesa, who was honoured with a *corona* by the *decuriones*, apparently at the moment of the centenary of the foundation of the *colonia*—*saeculo c(ondita) c(olonia)*—so (see above) in the 80s A.D. (AE 1950, 233). If that is so, it had been not long before that, in the reign of Vespasian, that someone, perhaps the Emperor himself, had erected or restored *tabernae*, perhaps fronting the forum, and had put up a statue of Liber Pater, [*s]ignum Liberi Patris*.³³ Given the association, or confusion, of the two, it may well be that this statue is the same as that of Liber Pater's servant Marsyas, which coins of Berytus from the reign of Elagabal represent as standing in front of an arched entrance which may be an entrance of the forum. If so, and of course that remains a speculation, it might have been a deliberate reminiscence of the statue of Marsyas which stood on the edge of the *comitium* in Rome.³⁴ Marsyas also appears on some of the earlier coins of the *colonia*. Here as elsewhere, however, the question of what exactly that signified remains open to debate. There is no concrete evidence whatsoever for the common notion that Marsyas specifically denoted the possession of *ius italicum*. Servius (*ad Aen.* 4, 58; cf. 3, 20) believed rather that a statue of Marsyas placed in the forum of a city had indicated that it enjoyed *libertas*. Veyne argued that Marsyas on city coinages showed no more than a claim to association with Rome; but a clear correlation with colonial status is indeed evident. Beyond that, nothing is certain.³⁵

Given the relatively restricted corpus of inscriptions from Berytus, never collected and hardly likely to be in the foreseeable future, the attestation there of the cults of Roman deities in private dedications (though not on the city coins) is extraordinarily full: Venus Domina and Mercurius Dominus;³⁶ Venus, Mercurius, Apollo, Diana, Mars, Ceres(?), Proserpina in a single dedication, along with the Fortuna of the Colonia and the Fata;³⁷ and above all the ancient and little-known deity, Mater Matuta, whose temple stood on the Forum Boarium in Rome.³⁸ The inscription naming this goddess (*CIL* III 6680) comes from a place called Der el-Kala in the hills behind Berytus where there was a temple of Zeus Baalmarcod, of which more in a moment.³⁹ The Latin inscription records that an altar was dedicated to Mater Matuta by a lady named Flavia Nicolais (*quae et?*) *Saddane, ex responso Deae Iunonis*. How a Graeco-Syrian woman, evidently a new citizen, came to subscribe to the cult of Mater Matuta we can only guess. But for the name of such a deity to have been familiar at all implies a profound “Roman” consciousness among at least some of the population. The

inscriptions of Berytus and its hinterland are sufficient at least to raise the question (which is a pure speculation) as to whether the *eikones* imitating ancient models which Agrippa II installed might have been intended as a compliment to the *colonia*, and have been borrowed from Rome rather than classical Greece.

The inscriptions also serve to put into an intelligible context the early experience of the famous Latin grammarian Valerius Probus, from Berytus: “In the province he had read with a *grammatistes* certain ancient *libelli*, for the memory of the *antiqui* still survived there, and had not yet been erased as it had in Rome.” The period concerned is the first half of the first century A.D.; it remains equally noteworthy that Probus turned finally to his grammatical studies only after long seeking a centurionate and giving up in despair.⁴⁰ Had he been successful, he would have been another in the series of centurions and *primipili*, with the tribe Fabia, from Berytus/Heliopolis, as well as common soldiers, attested on Latin inscriptions both locally and abroad.⁴¹

It was this very distinctive character of Berytus as a place of Roman culture which was to give it its slowly developing role as the site of a major school of Roman law. To put it in those terms, however, is to go beyond what our evidence for the period up to the fourth century actually says. Nothing at all indeed attests this role until we come to the address of thanks which Gregorius, the later bishop and “wonder-worker” (*Thaumaturgos*), from Neocaesarea in Pontus, addressed to his teacher Origen, probably in the 230s. In it he explains that the ambition which had first led him to the Syrian region had been a desire to pursue the study of Roman law, and for that he and his brother had set out for Berytus, “a city somewhat more Roman, and considered a place of instruction in those laws.”⁴² The reference is not to a “school,” but to Berytus itself as a place of Roman culture, including legal culture. By the end of the century we find Diocletian and Maximian replying to students from the province of Arabia who are engaged on *liberalia studia*, and especially the *professio iuris*, and hence are living in *civitate Berytensium provinciae Phoenices*, to say that they may have exemption from *munera* until age twenty-four (*CJ* 10, 50, 1). The view that students from the Greek East could find in Berytus a “Roman” or Latin culture of which legal studies were a prominent part is strikingly confirmed by the verse epitaph from the fourth century of a young man from Colybrassus in Cilicia: “When I journeyed from here to the distinguished city of Berytus for the sake

of the Roman Muse and the laws . . .”⁴³

We need not pursue the story further, or repeat the well-known allusions by Libanius to the attraction of students of Roman law to Berytus.⁴⁴ Enough has been said to show that Roman culture was a very distinctive feature of the city into the fourth century. That is not to say, however, that Berytus was ever a zone of purely Roman culture. Franz Cumont’s description of Berytus, Heliopolis, and Ptolemais as “Latin islands in the Semitic ocean”⁴⁵ was indeed both overstated and misleading in a variety of different ways. For at start there is no reason to suppose that the Greek-speaking population of Augustan Berytus was not incorporated in the *colonia*. As a symbol (if no more) of that continuity, Poseidon, the chief deity of Hellenistic Berytus, reappears in the second and third centuries on the coins of the *colonia*.⁴⁶ It is also interesting that the Greek writer Hermippus, an antiquarian from Berytus of the early second century, who wrote among other things a work “On Slaves Who Distinguished Themselves in Paideia,” is described by the Suda as originating “from an inland village.”⁴⁷ For the possession of an extensive hinterland embracing parts of two mountain ranges and the Bekaa valley is an important feature of what colonial Berytus was. But in fact such a Greek writer might easily have come from the city itself. As we would expect, though the coins of the *colonia* remain (unlike those of some later nominal *coloniae*; see below) firmly Latin, as do inscriptions recording votes of the *decuriones*, private inscriptions from there may be in Greek as well as Latin. The “sea” in which Berytus was an island cannot be described in any simple way as “Semitic.” If “Semitic” is supposed to have some wider cultural or racial connotation, the criteria for its use are obscure, and its employment is potentially misleading. If it has a linguistic sense, which makes it at least susceptible to definition, then it should be conceded that there is not a single Semitic language inscription from the city or its territory in the colonial period, except for one stray Palmyrene one from Harbata in the Bekaa.

That is not to say that there were no non-Graeco-Roman elements to be found in the culture of the region, or no Semitic-language terms embedded in Greek or Latin. A clear example, which is also of considerable importance for understanding Heliopolis (see further below), is presented by the sanctuary of *Theos Baalmarcod* at Der el-Kala, mentioned above. The meaning of the Semitic name of the god is conveniently supplied by a Greek dedication of the Roman period,

where he is addressed as “Lord of dances,”⁴⁸ corresponding clearly to B’L MRQD. We need not doubt that this is a local cult, taken over and observed by the new population of the colonial period. There is nothing to show how long the cult had already been established there; all that is clear is that the name of the deity is Semitic, and that dedications, in both Greek and Latin were made there under the Empire.⁴⁹ Similar dedications might be made to Baalmarcod in Berytus itself, and the wording of one of them is of particular interest: *I.O.M. Balmarcodi M. Verginius Bassus (centurio) leg. IIII Scyt. vot. sol.*⁵⁰ The appellation *Iuppiter Optimus Maximus Balmarcod* is repeated elsewhere as *I.O.M.B.*⁵¹

When the Latin-speaking inhabitants came to characterise the god worshipped at the temple at Der el-Kala, they sometimes, it is clear, applied to him grandiose appellations normally used for Iuppiter Optimus Maximus, with his archaic temple on the Capitol in Rome. That in its turn must raise a much wider question. For the same appellations were also used by them, far more frequently, for the much better-known deity whose temple was to be found at Heliopolis: Iuppiter Optimus Maximus Heliopolitanus. He also is sometimes described in simpler terms, for instance in the inscription of A.D. 115/16 put up at Puteoli by the *cultores Iovis Heliopolitani Berytenses qui Puteolis consistunt*.⁵²

The question of how we should approach the nature of the Iuppiter of Heliopolis will be considered below. For the moment it is essential to stress that the entire situation, and the relation of the *Berytenses* to that cult, cannot be understood correctly unless we accept the validity of the case argued by A. H. M. Jones and ultimately refined by J.-P. Rey-Coquais that, as Strabo clearly states, the Bekaa valley, and with it Heliopolis, was from the beginning part of the territory of Berytus.⁵³ The cult of Iuppiter Optimus Maximus Heliopolitanus will thus have evolved as one observed primarily by the Latin-speaking (and Roman-thinking) *coloni* of Berytus; and it was in this period that the extraordinary group of temples was built, while the cult of Iuppiter of Heliopolis steadily achieved an empire-wide fame. It was only after two centuries, partially no doubt in recognition of that fame, and of the fact of an urban complex existing around the temples, and certainly as a product of the local tensions engendered by the civil war of 193–96, that Septimius Severus made Heliopolis a separate *colonia*. The fact is stated with perfect clarity by Ulpian: *Est et Heliopolitana (colonia) quae a divo Severo per belli civilis occasionem*

Italicae coloniae rem publicam accepit.⁵⁴ The fact that when this status was granted, the newly acquired title, *Colonia Iulia Augusta Felix Heliopolis*, reflected the settlement of veterans by Augustus two centuries earlier cannot weigh against the clear and irreducible facts. Pliny the Elder, who lists the *coloniae* of Berytus (*Nat. Hist.* 5, 38), Ptolemais under Claudius (5, 75) and Caesarea under Vespasian (5, 69), knows Heliopolis only as a topographical item (5, 80). There is no coinage of Heliopolis until the third century, and no epigraphic evidence unambiguously denoting Heliopolis as a *colonia* until the same period.

The *colonia* of Heliopolis, as it was in the third century, will be discussed later (text to nn. 120–25 below). It should be accepted beyond all doubt that in the first two centuries Heliopolis was a place (however described), and a rapidly evolving cult centre, in the territory of Berytus. Inscriptions from Heliopolis of this period which refer to the *colonia*, or to its *decuriones* or magistrates, must therefore be taken as allusions to the city government of Berytus.⁵⁵ The clearest and best-dated instance of such an allusion is a statue base for M. Licinius Pompenna Potitus Urbanus, *sacerdos* of *I(uppiter) O(ptimus) M(aximus) H(eliopolitanus)*, granted the *equus publicus* by Hadrian, and holder of a series of local offices: *decurio*, *pontifex*, *agonothetes*, *duumvir quinquennalis*, *flamen munerarius*.⁵⁶ These offices, and the shows referred to, should be thought of as being those of the *colonia* of Berytus. In what specific terms we should describe the status of Heliopolis in this period is not clear. Following Rey-Coquais, however, we may note the apparent presence of a *pagus Augustus*, seemingly making a dedication to the *Dea Syria Nihathe(na)* at Niha, a place located south-west of Heliopolis on the other side of the valley.⁵⁷ Heliopolis was perhaps also a *pagus*. But whatever was the technical term employed, we can in any case take it that, as Strabo makes clear, veterans were settled in the valley under Augustus. The fact that in the second century some persons, including soldiers, began to record their *origo* as Heliopolis⁵⁸ does not prove that the place was already a *colonia*; rather, its emerging separate identity was a precondition of the grant subsequently made by Septimius Severus.

That emerging identity must have both contributed to and been enhanced by the extraordinary architectural development of the site and the widening fame of the cult. Yet both the chronological sequence of the construction and the sources of initiative (emperor or emperors? *The colonia*? The local population? The cities of the wider

Syrian region?) remain almost wholly obscure.⁵⁹ Even more profound problems, however, attend the question of the origin and nature of the cult or cults of Heliopolis. The name of the place has always suggested an association with Egypt, as already claimed by Lucian (*de Syria* 5); and it may indeed derive from the domination of the region by the Ptolemies in the third century B.C. But there is only one inscription, and no certain archaeological evidence, to show that there was a cult or construction there in the Hellenistic period.⁶⁰ The temples there are of the imperial period, from the first century A.D. to the third.

But what of the cult itself? Can we confidently identify, behind the Romanised facade, a local “Semitic” cult, or even, as is now claimed, the cult of a typical “Semitic” triad? That is the claim made in, and already incorporated in the title of, the invaluable and extraordinarily learned work on this subject by Y. Hajjar:⁶¹ “Les dieux d’Héliopolis prennent dans les textes épigraphiques et littéraires les noms de Jupiter, Vénus et Mercure ou leurs équivalents grecs selon le cas. Mais il ne fait aucun doute que ces dénominations recouvrent des entités sémitiques avec Hadad, Atargatis et un parédre mineur dont on ignore le nom indigène.”

It will need a little time to demonstrate how frail is the logical basis of this assertion, all too typical of what passes for the history of religion whenever the “Orient,” or the Near East, or anything supposedly “Semitic” comes to be considered. If the assertion were merely that there was a cult on this site in the Hellenistic period, that cannot be denied. For there is precisely one fragmentary inscription of that period, including the words *Διὸς ἱερῶ* and *[εὖσ]έβαιαν*.⁶² We could then suppose that, as in the case of Der el-Kala, where a cult of *Theos Balmarcod* was converted into one of *Iuppiter Optimus Maximus Balmarcod* by Latin-speaking Roman veterans, so the cult of “Zeus” (nowhere given any Semitic appellation) at Heliopolis came in the same way to be expressed as that of *Iuppiter Optimus Maximus Heliopolitanus*. But those are the terms in which such a change must be described. For in speaking of the identities of ancient deities, we are confronted by logical problems more profound than simply the normal fact that what we can perceive is not these divine entities themselves, but what our sources happen to say about them. For the extra problem with the ancient pagan deities is that they were not “entities”: they did not exist. What existed, and may be accessible to us, were human beliefs and appellations, cult practices and temples. There is a perfectly valid sense in which ancient deities “were,” and can only

have been, what people at the time said they were.

If we follow strict logic, the “Semitic” triad of Heliopolis is the purest of modern Semitising constructions. In the epigraphy of the Bekaa valley, not a single allusion to Hadad occurs, still less an equation with Zeus or Iuppiter. Atargatis is indeed recorded once in the area; not, however, at Heliopolis but in the hills on the opposite side of the valley, in the *monumentum* of Ochmaea at Niha, *virgini vati*

Deae Svr(iae) Nihat(enaē), or in Greek *παρθένος θεᾶς Ἀταργάτει*, put up by a *veteranus* named Sex. Allius Iullus (IGLS VI 2929). The contrast with the epigraphy of Heliopolis itself which this inscription presents is extremely important; for in this case a local deity is identified as local, Nihatena, and as the “Syrian Goddess” and (in Greek) as Atargatis. No such identifications are ever made by contemporary documents in relation to the gods of Heliopolis. We are *not* entitled to assert that *Iuppiter Optimus Maximus Heliopolitanus* was Hadad (or Hadaran); and all the less so because the same Ochmaea (or Hocmaea) is also described at Niha, in another inscription, as *virgo dei Hadaranis* (IGLS VI 2928). At Niha Atargatis and Hadaran may indeed have been worshipped as a divine couple.

There is in fact at Heliopolis no documentary equation of Venus with any “Semitic” goddess, or of Zeus or Mercurius with any “Semitic” god. But nor, to make confusion worse, is there any real indication that these three deities were conceived of as a triad at all (no “triad” of deities is represented on the third-century coins of the city). There are in fact precisely two inscriptions from Heliopolis, both very fragmentary and heavily restored, where we may read in the one case [I.O.M., V.,] *M., Diis Heliopol(itanis)* (IGLS VI 2711), and in the other [I.O.] *M., V. M., Diis Heliopol(itanis)*, where the first *M* and *V* have not been seen since the early eighteenth century (IGLS VI 2712). Otherwise *I(uppiter) O(ptimus) M(aximus) H(eliopolitanus)* is referred to alone on nearly thirty inscriptions,⁶³ or dedications are addressed in

Greek to him alone. as *Διὶ Ἡλ[ι]οπολίτῃ* or *Διὶ μεγ[ίσ]τῳ Ἡλιοπολίτῃ* (IGLS VI 2729; cf. 2728, also 2730). Venus/Aphrodite is much more rarely recorded (2732–33, 2893). Mercurius/Hermes appears more frequently (IGLS VI 2735–38, 2881, 2895–96; 2912?, 2977).

The inscriptional record from Heliopolis itself and the Bekaa valley thus gives not the slightest justification for any notion of a triad;

confirms the predominance of the localised *Iuppiter Optimus Maximus* who was worshipped, mainly in Latin, by the colonial population; and also attests, if weakly, that Venus and Mercurius, as Roman deities, were also worshipped there. From what is said above, however, it will be clear that the whole context of the evolution of the cults of Heliopolis is that of the *territorium* of the *colonia* of Berytus. The reflection of the cult in Berytus itself is therefore of crucial importance, in spite of the relatively small harvest of inscriptions from this continuously inhabited city. The immensely learned tabulation and analysis of the relevant inscriptions by Y. Hajjar do indeed offer valuable evidence, and even at first sight offer some support for the notion of a triad. There are in fact precisely two known inscriptions from Berytus where *Iuppiter Optimus Maximus Heliopolitanus* is named along with Venus and Mercurius, and with these alone.⁶⁴ A further inscription (mentioned above) offers only traces of the *M* of *[I.O.] M [H.]*, and follows that with Venus and Mercurius, but also with Apollo, Deana [*sic*], Mars Sergit(ensis?), or Ceres, Proserpina, the Fortuna of the Colonia, and the Fata.⁶⁵ By contrast, eleven inscriptions from Berytus and the surrounding area refer to *I.O.M.H.* alone,⁶⁶ one to *Venus Domina*, and two to *Mercurius Dominus*.⁶⁷ An altar from the Museum of Beirut might at first sight provide evidence for a syncretistic identification of Venus Heliopolitana with the Syrian Goddess / Atargatis. But in fact, as Hajjar himself correctly argues, it shows rather a distinction between the two in the mind of the worshipper. Two inscriptions appear on two sides of the altar:⁶⁸

θεᾷ Ἀταργάτι / [σ]τα(τίωνος) Γεράνων / Ἀρτεμίδι Φωσφόρῳ . . .
Veneri He/liopolitanae / et Deae Syriae / Geranensi / Deanae Luciferae

It seems clear that two deities are mentioned in both inscriptions, the Dea Syria / Atargatis and Deana Lucifera / Artemis Phosphoros, while the Latin also names a third, Venus Heliopolitana. Though the description of Berytus as a “Latin island in a Semitic ocean” (text to n. 45 above) is far too simplistic, these inscriptions do indeed attest the complexities of the cultural and religious context into which the colonists were settled. But precisely what is distinctive about this area, marking it out from all other parts of the Roman Near East, is that among the other cultural heritages which were not only still present, but active and evolving, a very strong Latin and Roman element was firmly rooted, both on the coast and in the Bekaa valley. Whatever the nature or antiquity of the Zeus already worshipped at Heliopolis, he now came to be characterised by appellations drawn from those of

Iuppiter Optimus Maximus in Rome, and came later to become known throughout the Empire as *Iuppiter Optimus Maximus Heliopolitanus*.⁶⁹ Sometimes, though very rarely indeed, the two other most characteristic deities of Romanised Heliopolis, Venus and Mercurius, were associated with him.⁷⁰ But far more often he appears alone. That wider diffusion raises other questions which cannot be discussed here. In this context it is sufficient to emphasise the establishment in Berytus and its extensive territory of a Latin-speaking population of Roman veterans, who worshipped Roman deities, even including a little-known archaic goddess, Mater Matuta, under their Latin names. It was this same context which enabled Valerius Probus to read in Berytus older Latin works which had gone out of fashion in Rome (text to n. 41 above), and which was to give rise to a long-surviving Roman cultural framework, of which the law schools of Berytus were to be an important aspect. It is essential to stress that all our evidence up to the fourth century does indeed present the teaching and learning of Roman law as an aspect of the “rather more Roman” city that Berytus was, and that we should speak of “law schools” rather than of “the law school.” The second of these points is clearly and succinctly expressed in the *Expositio totius mundi et gentium* of the middle of the fourth century: *Berytus civitas valde deliciosa et auditoria legum habens, per quam omnia iudicia Romanorum stare videntur*.⁷¹

In the light of this it must be all the more of a puzzle that the most famous of all Roman jurists, Ulpian, was to come not from Berytus but from the Phoenician-Greek city of Tyre, which had become a nominal *colonia* only in his own life-time. It is time to turn to the later *coloniae* of the Roman Near East, beginning with the distinctive group of three on the borders of, or at the heart of, the Holy Land.

Ptolemais, Caesarea, Aelia Capitolina

These three *coloniae*, recently discussed very well by Benjamin Isaac,⁷² form a clearly marked-out group, contrasting both with Berytus, on the one hand, and with the much larger group of nominal *coloniae* of the Severan period, and the following decades, on the other. It seems that all three foundations were reflections of local conflicts, involving the Jews and their Roman rulers, and indeed in the latter two cases there is no room for doubt on the matter. In the case of Ptolemais, the earliest of them, a military context, and indeed an actual veteran settlement, is probable, as Isaac has shown. But, perhaps surprisingly, the actual process, or moment, of foundation cannot be located within either of Josephus' two detailed narratives of the period. Indeed, by contrast with Berytus (n. 21 above), Josephus nowhere alludes to either Ptolemais or Caesarea as a *colonia*/ *ἀποικία*. The fact that Ptolemais' foundation as a *colonia* (whatever that in practice meant) took place under Claudius (A.D. 41–54) is, however, attested by Pliny the Elder, writing in the 70s.⁷³ As an event, the foundation of the *nova colonia* is also reflected in a milestone of A.D. 56, on the coast road from Antioch via Berytus to Ptolemais.⁷⁴ Here too, of course, whatever actual settlement of veterans took place did so in the context of an ancient city, which in this instance had already acquired a Greek dynastic name in the Hellenistic period.⁷⁵ As “Ptolemais,” or, as it appears on coins of Claudius, *Γερμανικεῖς*, it continued to mint Greek coins up to A.D. 51/2, so the *colonia* belongs in the last years of the reign. Thereafter the coins show the city with its full Latin title *Col(onia) Cla(udia) Stab(ilis) Ger(manica) Felix Ptol(emais)*.⁷⁶

There is also just sufficient evidence from the surrounding area to make clear that veterans actually were settled. An inscription from beside the Roman road running north along the coast reads *Imp. Ner. / Caesari / Col. Ptol. / Veter. / , vici Nea Come et Gedru*.⁷⁷ The grammar is far from clear, but the reference to veterans is certain, and there is probably an allusion to two different villages, one known by a Greek name and one by a Semitic one. There seems no reason to dispute its identification with Talmudic GDRW / modern Kh. Jidru, south-east of Akko. Also south-east of Akko we have a fragmentary Latin inscription with the words *pago* and *vicinal* on separate lines⁷⁸—enough to suggest the existence of a *pagus* of settlers here, as at Niha in the Bekaa valley.

Some support, but far from wholly certain, for the idea of an actual settlement of veterans, is offered by the coinage of the city as a

colonia; the earliest coins, struck under Nero, name DIVOS CLAUD and have the normal symbol of the founder with his plough marking out the boundary. Four legionary standards are represented, but no agreement has been reached on the identification of the tiny numbers shown on them.⁷⁹ It is none the less clear that some actual settlement of veterans took place. But from the very slight evidence for the history of the city as a *colonia* nothing is really certain except that it continued to mint coins with Latin legends identifying itself as a *colonia* into the reign of Valerian and Gallienus. There appear, however, to be no Latin inscriptions from the city to illustrate public use of Latin there. The real nature of the social and cultural mix produced by the process of foundation must remain mysterious. But here too we can be reasonably certain that no wholesale removal or disturbance of the existing population took place; the massacre of 2,000 Jews, and the imprisonment of many others, by the Ptolemaeans in A.D. 66 must be seen as reflections of long-standing communal tensions, as they were in other cities of the region.⁸⁰ On any construction the foundation of a *colonia* here and at this moment remains a puzzle. It is true, as Isaac points out, that there had been violent intercommunal clashes between Jews and Samaritans in the procuratorship of Ventidius Cumanus (probably A.D. 48–52), which required the judicial intervention of the imperial *legatus* of Syria, Ummidius Quadratus, and led to the dismissal of the *procurator* himself.⁸¹ But there is nothing to show that Quadratus, in visiting Judaea to settle these disputes, had to bring any significant legionary forces with him, or that *coloni* from Ptolemais subsequently played any role in repressing troubles in Judaea, or in the Jewish War itself (as a contingent from Berytus had done earlier, after Herod's death in 4 B.C.).⁸² There is also the puzzle of the limited legal rights given to the new *colonia*. We would naturally suppose that the Empire saw a progression from "real" *coloniae*, involving the settlement of veterans and the granting of *ius Italicum* and full remission of tribute, to "nominal" *coloniae*, which might receive full or partial rights depending on the *indulgentia* of the emperor. But in fact Ulpian is categorical as to the absence of privileges on the part of this *colonia* (Dig. 50, 15, 16): *Ptolemaeensium enim colonia, quae inter Phoenicen et Palaestinam sita est, nihil praeter nomen coloniae habet*. Can it be that, far from being a fundamental conception of Roman public law, integral to the overseas *coloniae* of the classical period, the *ius Italicum* was a legal construct which evolved in the course of the Empire?⁸³ Or was it, as Miss Levick suggested to me, that Ptolemais had lost some

rights in the period between the foundation and the composition of Ulpian's *De Censibus* under Caracalla?

A closely comparable question presents itself in the case of the next *colonia* founded in the Holy Land, Caesarea. Pliny the Elder (*Nat. Hist.* 5, 69) carefully brings the history of the town right up to date: *Stratonis Turris, eadem Caesarea ab Herode rege condita, nunc Colonia Prima a Vespasiano Imperatore deducta*. In doing so he reproduces almost in full the formal titulature of the new *colonia*, as it was to appear on the coins, from the reign of Domitian onwards: *Colonia Prima Flavia Augusta Caesarea*.⁸⁴ In this case there can be no reason to doubt that the new status reflected the role of Caesarea as a military base in the Jewish War, conducted of course by Vespasian himself up to the moment of his coup d'état; indeed if we follow Josephus, it had been there that Vespasian had first been hailed as emperor by his troops, in the summer of A.D. 69.⁸⁵

No source suggests that any *deductio* of veterans took place, and no legionary standards appear on the colonial coinage. As Isaac has pointed out, the language in which the jurist Paulus speaks of the status granted to the inhabitants by Vespasian clearly suggests a grant to an existing population (*Dig.* 50, 15, 8, 7): *Divus Vespasianus Caesarienses colonos fecit, non adiecto, ut et iuris Italici essent, sed tributum his remisit capitis; sed divus Titus etiam solum immune factum interpretatus est*.

Ulpian confirms that the *Colonia Caesariensis* did not enjoy the *ius Italicum* (*Dig.* 50, 15, 1, 6). It seems from the way that the jurists (though no earlier source) express themselves that they saw *coloniae* as belonging potentially to four possible grades: (1) no privileges; (2) partial remission of *tributum*; (3) full remission of *tributum*; and (4) *ius Italicum*. Paulus' account indicates that Vespasian, on granting the status of *colonia*, gave along with it only remission of *tributum capitis*. It can be taken as certain that Titus' interpretation, giving the remission a wider definition, will have been in response to a submission by the city, either transmitted by the *legatus* of Judaea or (more likely) brought before him by an embassy.

By the standards of a middle-rank provincial town, the life of Caesarea is illustrated, or potentially illustrated, by quite an extensive range of literature, above all Christian. For it was there for several decades that Origen taught, there that Pamphilus established his library, and there above all that Eusebius lived, wrote, and served as bishop. Yet Eusebius for instance never refers to Caesarea's status as

colonia. Nor, more significantly, does Gregorius of Neocaesarea, for whom, as we saw, Berytus was a “more Roman” city (text to n. 42 above), but Caesarea was merely the seat of the governor of Syria Palaestina, and by divine providence the place where he came to be a pupil of Origen. Nothing in any of these sources would suggest to us that Caesarea was not still a Greek city like any other. The same is largely true of inscriptions: witness the second-century inscription of a boxer from Aphrodisias cited earlier (text to n. 5 above), in which the town appears as *Caesarea Strat* ὁ *nos*, a curious mixture of the two names which it had successively borne before becoming a *colonia*. However, there is some slight inscriptional evidence reflecting the new status of the place. One item is a remarkable Greek inscription of the end of the second century from Mount Carmel, which also illustrates the attraction of the Zeus, or Iuppiter, of Heliopolis:

Διὶ Ἡλιοπολείτῃ Καρμῆλῳ / Γ. Γούλ. Εὐτυχᾶς / κόλ(ων) Καισαρεύς

. It is inscribed on the base of a statue of which only the toes of one foot remain.⁸⁶ The localisation of a cult of the deity of Heliopolis on Mount Carmel raises complex problems of religious history. For the present what is relevant is the self-identification of the dedicator (evidently the descendant of a Greek family which had received the citizenship at least some decades before the foundation of the *colonia*)

as a *κόλ(ων) Καισαρεύς* . The pseudo-Greek term is paralleled elsewhere in the Near East: one example, from Palmyra, has already been noted (text to n. 7 above).

The use of Latin in the *colonia* is now attested by a considerable number of inscriptions. There is a dedication by a lady named [Cleo?]patra,⁸⁷ and more important, the well-known inscription of a man who, or whose family, gained the citizenship in the Flavian period: *M. Fl. Agrippam, pontif., Ilviral. Col. I Fl. Aug. Caesareae, oratorem, ex dec. dec., pec. publ.* (ILS 7206 = Lehmann and Holum [n. 87 below], no. 3). A single column from near the city contains both a dedication to a *legatus* of the second or third century, by a *duo[vir]* or *duo[viri]*, perhaps *ex dec. dec. pec. publ.*⁸⁸ More significant still is the pair of inscriptions of the first half of the third century found in the theatre. One names Aur. Fl. Theophilus, an *eques Romanus* and *decurio* of the *metropolis*, as being responsible for carrying out the decree of the decurions of the colony to honour Val. Calpurnianus, *praefectus* of Mesopotamia and Osrhoene, *pat(rono) metr(opolis - eos?) ex d(ecreto) d(ecurionum)*.⁸⁹ The other is a dedication to Aelius Iulianus, *proc. Aug. n.*, also *patr(ono) metr(opolis?) ex d(ecreto) d(ecurionum)*.⁹⁰ The

inscriptions represent valuable epigraphic confirmation of a phenomenon which is better attested on third-century coinage, namely the combination of the title *colonia* with the Greek status term for major provincial cities, *metropolis*.⁹¹ If there was at any time a precise definition of the conditions under which a city could call itself a *metropolis*, it is not clear in our sources. It is at least certain that the title could be formally asked for from the emperor and conferred by him.⁹² But it is equally clear that it proliferated in the course of the empire and was not, for instance, confined to one city in each province.

More important in the present context is the fact that it is a Greek status title, which could be borne by *coloniae* as by purely Greek cities. In the case of the two inscriptions just cited indeed, while the use of Latin has survived, the actual title *colonia* has been displaced by *metropolis*. By contrast the coinage of Caesarea from Severus Alexander to Volusianus gives the title *Col. I F. Aug. F(elix?) C(?) Caes. Metrop.*⁹³ All the evidence combines to suggest that the normal language of Caesarea was Greek. It was there that, according to the Talmud of Jerusalem, Rabbi Levi bar Haitah, heard the Shema (“Hear, O Israel”) being recited in Greek.⁹⁴ He will have been in little danger of encountering the same phenomenon in Latin.

The last of the *coloniae* of this period was Aelia Capitolina, Jerusalem. Alone of all the *coloniae* of the Near East, it arose from the destruction of an existing city and the wholesale replacement of its population by a new one. It is not necessary here to enter into the question of the situation of Jerusalem after the Jewish War of A.D. 66, the problem of whether the foundation of a *colonia* had been decided on before the Bar Kochba war of A.D. 132–35, or whether Jerusalem was ever captured by the rebels, and then recaptured by the Romans.⁹⁵ Whatever the immediate background, there is no reason to doubt Cassius Dio’s report that a new city called Aelia Capitolina was founded in the place of the one which had been destroyed, and that the temple was replaced by a pagan temple to “Zeus” (Juppiter Capitolinus);⁹⁶ a gentile pagan population also took the place of a Jewish one;⁹⁷ hence the first bishop of non-Jewish origin was in office there soon after the re-foundation (Eusebius, *HE* 4, 6, 4). We can assume that in this case large-scale re-building accompanied the foundation, and accounts of this process are offered later by the *Chronicon Paschale* and by Joannes Malalas.⁹⁸ Although much archaeological effort has been devoted in recent years to Roman and

Byzantine Aelia, the results remain both controversial and incompletely published, and there is little that can be said with certainty as to the second-century city or the quarters of the Legio X Fretensis which may have occupied part of it.⁹⁹

There is nothing in our evidence to make clear whether the citizens of the new *colonia* were drawn from veterans or from civilians; if the latter, a new population must have been recruited, for contemporary sources make clear that Jews were excluded.¹⁰⁰ A *colonia* formed not from an existing city but from new civilian settlers would however be unique in this period, and it may be better to accept the colonial coins with *vexilla* of the legio X Fretensis as evidence that veterans were settled. If so, however, Aelia then provides a unique combination of a legionary camp with a *colonia* of veterans from the same legion.¹⁰¹ In either case, Aelia Capitolina and Mursa in Pannonia Inferior represent the only two “genuine” *coloniae* of Hadrian’s reign, and the last such *coloniae* in the history of Rome.¹⁰²

With the new foundation there was associated an extensive programme of road building in Judaea, and milestones from the relevant roads reflect, though in Greek, the new status and name of Jerusalem:

for	instance
ἀπὸ κολ.	μὴλ. ἐ.

Αἰλίας Καπιτωλ.

¹⁰³ We would naturally suppose that the impact of the foundation on the surrounding territory was considerable. Given the model of Berytus, we might also suppose that Aelia, as (apparently) a new veteran *colonia*, backed by a legionary camp, on a site whose original population had either been slaughtered or driven out, would have represented another long-standing “Latin island.” If it did, however, there is remarkably little evidence to show it. Christian sources of course have precisely focused interests, but they do reveal that, apart from the temple of Juppiter, there was also one of Venus, subsequently identified as the site of the Holy Sepulchre.¹⁰⁴ But as an active expression of the city’s colonial status and Latin character we have almost nothing to go on except its coins, where it appears as *Col. Ael. Cap.* and then, from Septimius Severus onwards, as *Col. Ael. Cap. Comm(odiana) Pia Felix*.¹⁰⁵ This latter name appears on just one inscription from the city, from near the southern wall of the Temple mount. Dating from the reign of Severus, it provides the title [*Colonia Ael]ia Kap(itolina) Commo[diana]*.¹⁰⁶

We are therefore left with a puzzle, on which the available evidence sheds no real light. We have very little to illustrate the social

composition, public cults, or nature of local self-government (which we may assume was conducted by *duumviri* and a council of *decuriones*). Some relevant Latin inscriptions are indeed available: for instance a statue base in honour of Antoninus Pius *d(ecreto) d(ecurionum)* (*CIL* III 6639); and another from the lintel of the Roman gate underlying the Damascus Gate, naming the *Colonia Aelia Capitolina*.¹⁰⁷ In what seems to be the only scholarly publication of it, the inscription is reported to read *Co. Ael. Cap. d(ecreto) d(ecurionum)*.¹⁰⁸

The availability of such fragments of evidence will hardly serve to obscure our total ignorance of the dominant languages and the self-identification of the inhabitants of what had been Jerusalem (and was frequently still called Jerusalem by Christian writers) in its period as the *Colonia Aelia Capitolina*. It is only when we reach the visit by the western pilgrim “Egeria” in the 380s, that we learn that Christian services there were conducted in Greek, with a regular translation into Aramaic, and a secondary translation, when necessary, into Latin.¹⁰⁹ Much had no doubt changed since Hadrian’s triumphant creation of a Roman *colonia* on the site, with a Roman constitution and Roman gods. But the nature and evolution of that change escapes us entirely.

The Reign of Septimius Severus

With the ascent to the throne of Septimius Severus in A.D. 193 a quite new phase opens in the nature of Roman *coloniae* in the Near East. As we will see, it is not beyond possibility that his origins in Tripolitania, a Latin-speaking area whose Punic sub-culture was a distant product of Phoenician colonisation, had some effect on this change. Equally, it may be relevant that his wife, Iulia Domna, came from the city of Emesa in Syria, a place which contemporaries tended to characterise as “Phoenician,” even though it was situated not on the coast but on the middle Orontes. Once again, the most difficult problems of ethnic identity present themselves.

Two more obvious influences on the scale and nature of the formation of new *coloniae* in this period were the civil war fought between Severus and Pescennius Niger, the *legatus* of Syria, and the extension of the Roman frontier from the Euphrates to the Tigris. The title of *colonia* was to be conferred on a whole series of places, mostly very little known or understood, in the new provinces of Mesopotamia and Osrhoene. One place which received it subsequently is, however, rather better known, namely Edessa/Orhai, which until 213/14 was

the capital of the small kingdom of Abgar.

The most clearly attested factor in this new phase was the use of the rank or title of *colonia* as part of the repertoire of imperial rewards (with corresponding punishments), meted out to cities in respect of the attitude they had taken in the civil war of 193–96.¹¹⁰ Once again rabbinic literature happens to offer a remarkably vivid and apposite reflection of just this situation: the people of a city are recorded as asking a king (emperor) to make their city a *colonia* (QLWNY'), because they think it a good moment, as two of his enemies have just been defeated.¹¹¹

Contemporary sources make the connection between civil war and grants of colonial status quite explicit, and in one case a combination of evidence provides a precise date. Herodian records that there were local hostilities between Laodicea and Antioch and between Berytus and Tyre, and that Laodicea and Tyre were quick to align themselves with Severus on the news of his victory over Pescennius Niger in Cappadocia in 194; Laodicea was then sacked by Niger's troops.¹¹² This sack, and reports of the rewards which then followed for Laodicea, appear in the sixth-century Chronicle of Malalas: Severus granted senatorial rank to the leading men of the city, gave large sums of money for public expenditures, built various public buildings, and decreed that the city should have the status of *metropolis* and be named after himself.¹¹³

The latter point is perhaps a confusion with Tyre, which was also rewarded (see below). More significant is the fact that the rank of *metropolis* retained its relevance in Malalas' time; but the status of *colonia*, which Laodicea also received, has dropped out of memory. But it is that which Ulpian, as a contemporary and a Roman jurist, had recorded, and related emphatically to the civil war: *Est et Laodicena colonia in Syria Coele, cui divus Severus ius Italicum ob belli civilis merita concessit*.¹¹⁴ Yet Malalas' perspective was not entirely misleading, for a weight from Laodicea published by H. Seyrig shows that the year 205/6 counted as the 9th of the *kolonia*, but the 13th of the *metropoliteia* (the status of *metropolis*).¹¹⁵ Severus had thus granted the title of *metropolis* on his arrival in 194, but that of *colonia* only in 198, when he was again in the Syrian region.

Both titles are reflected in the designation of an athlete from Laodicea, in an inscription of A.D. 221, as

κόλων Λα(ο)[δι]κεὺς μητροπολείτης κα[ὶ]

ἄλλων πόλεων πολείτης .¹¹⁶ The pseudo-Greek term *κόλων* is used again; and the Romano-Greek public character of the city is reflected equally in its coins. Under Caracalla one example has *LAU COL METRO IUL*,¹¹⁷ from then on a variety of Latin terms appear, including *AETERNUM BENEFICIUM* and *ROMAE FEL*. But a substantial series with the Latin/Greek legend *COL LAOD METROPOLEOS* does not appear until the reign of Philip, ceasing in that of Gallus.¹¹⁸ With that, as it seems, all reflection of the colonial status of the city also ceases. What is significant however is the clear dating of the title *metropolis* to 194 and of *colonia* to 198, and the connection of both with the posture adopted by the city in the civil war.

Apart from Antioch and Laodicea, the other pair of mutually hostile neighbours which Herodian mentioned (text to n. 112 above) was Tyre, which took the Severan side, and Berytus. Tyre too became a *colonia*, as we will see below. But the reference also provides a perfectly clear and intelligible framework for the elevation of Heliopolis to the rank of an independent city with the status of *colonia*. That is to say that the urban conglomeration (*pagus*?) which already existed around the long-famous temple of Juppiter Optimus Maximus Heliopolitanus in the Bekaa valley (above) was now detached from the territory of the *colonia* of Berytus on the coast. The deployment of political favour, and disfavour, in this way finds an exact parallel under Constantine, when the Emperor granted the port of Gaza, Maiouma, city status as a reward for the Christian faith of its inhabitants. It was thus detached from Gaza, whose population remained predominantly pagan.¹¹⁹

It may have been merely that Berytus incurred displeasure and was punished by the loss of territory. Alternatively the people of Heliopolis, like the inhabitants of the *vicus Patavissensium* in Dacia, may have petitioned Severus, as Ulpian records (*Dig.* 50, 15, 1, 9): *In Dacia . . . Patavissensium vicus, qui a divo Severo ius coloniae impetravit*. But at any rate it is Ulpian who makes quite clear the relevance of the civil war in the case of Heliopolis (*Dig.* 50, 15, 1, 2): *Heliopolitana (colonia), quae a divo Severo per belli civilis occasionem Italicae coloniae rem publicam accepit*. Almost at the same moment as Ulpian was writing we find Caracalla in A.D. 215 issuing a rescript about a case in which the *res publica Heliopolitanorum* had come into possession of some property. It is interesting (see below) that a party to the suit is called Sossianus (*CJ* 8, 17, 4).

As we have seen, the area was already “colonial,” being part of the

distinctive zone of Latin and Roman culture created by the settlement of legionaries at Berytus and in its wide *territorium*. There is nothing in the least surprising or confusing in the fact that the formal title of the new *colonia* reflected its historical origins in the veteran settlement under Augustus: *Colonia Iulia Augusta Felix Heliopolis*. Not having been an independent city, the place had of course minted no coins until Severus' reign. From Severus to Gallienus we duly find coins with COL (IUL AUG FEL) HEL.¹²⁰ Under Philip and his son the colonial coins also portray the standards of the two legions, the V Macedonica and VIII Augusta, which had taken part in the original settlement; a few also incorporate the conventional scene of the founder ploughing.¹²¹ The coins, like the title of the *colonia*, should be read as conscious historical reminiscence, or retrospection.

It is in keeping with the already established Latin, or Roman, character of the area that we have a much better series of Latin inscriptions, from the reign of Caracalla to the Tetrarchy, illustrating its colonial status than from any other place. What is perhaps the earliest is probably a dedication to Caracalla *ex dec(reto) dec(urionum) splendissimae col(oniae) Iul(iae) Aug(ustae) Fel(icis) Hel(iopolis)* (IGLS VI 2899). Another is securely dated to A.D. 213 (IGLS VI 2918); under Gordian a *decurio* of the *colonia* erected a "torch-bearing" statue to mark his decurionate: *statuam luciferam decurionatus sui hic conlo[ca]tam* (IGLS VI 2710); a dedication (IGLS VI 2772) and a milestone (IGLS VI 2900) date to the Tetrarchic period, as do newly published milestones from the Heliopolis-Berytus road—*Col[(onia) Iul(ia) Aug(usta) Fel(ix)] Hel(iopolis)*—and from the north-eastern limits of the city's territory, near the sources of the Orontes.¹²² There the series of local Latin inscriptions of the *colonia* ends, along with the general decline of the epigraphic habit. There is also an undated dedication (IGLS VI 2743) by Baebius Aurelianus Dius *dec. col. Hel.* But one native of the third-century *colonia*, L. Trebonius Sossianus (for the name, text following n. 119), who entered the Roman army and rose to the rank of *primus pilus*, was to leave a record of himself and his city both in Rome and at Philippopolis in Arabia. On the Janiculum in Rome he put up under Gordian an inscription which perfectly expressed both the local and the "Roman" patriotism of Heliopolis: *I.O.M.H., conservatori imperii d(omini) n(ostri) Gordiani Pii Fel. Invicti Aug(usti), L. Trebonius Fab. Sossianus, colonia Heliopoli, (centurio) frum(entarius) leg. III Fl(aviae) Gordianae p.p.*¹²³ A few years later the same man, now a *p(rimus) p(ilus) domo col. Hel.*, honoured C. Iulius Priscus, the brother of the emperor Philip, at their native city,

Philippopolis (now itself a *colonia*).¹²⁴

Even in Heliopolis we would expect that both before and after the conferment of the new status Greek will have been current as well as Latin; and we do duly find one Greek inscription which expresses the colonial character of the place. A relief from the stairway of the main temple of Baalbek is accompanied by a brief inscription contained in a

cartouche:
Νάρκισος Κασίου
βουλευτικὸς κολ(ωνείας) Ἡλ(ιουπόλεως).¹²⁵ The inscription has sometimes been taken to date to the first half of the second century, and hence to provide evidence that from the beginning Heliopolis was an independent *colonia*. But the date is hypothetical, and a single brief inscription such as this cannot possibly stand against the accumulation of other evidence. In fact it is to be seen as a Greek reflection, of a familiar type, of the institutions of Severus' new foundation.

The other place which Herodian (text to n. 112 above) records as having displayed a timely loyalty to Severus in 194 was the city of Tyre. It can hardly be doubted that its acquisition from Severus of the rank of *colonia* and the privilege of *ius Italicum* came about precisely for that reason. But if that is so, its proud citizen Domitius Ulpianus, certainly born some decades before the change of status, chooses to record the fact in more grandiose language, reflecting the antiquity of the city and its long-standing relation with Rome: *ut est in Syria Phoenice splendidissima Tyrionum colonia, unde mihi origo est, nobilis regionibus, serie saeculorum antiquissima, armipotens, foederis quod cum Romanis percussit tenacissima; huic enim divus Severus et imperator noster ob egregiam in rem publicam imperiumque Romanum insignem fidem ius Italicum dedit*.¹²⁶ From Ulpian's wording the date should not be earlier than A.D. 198, when Caracalla (*imperator noster*) became joint Augustus with Severus; and it very probably was precisely 198, the same date as Laodicea.

Tyre, like other places, was now simultaneously a *colonia* and a *metropolis*. The scanty epigraphy of the city, largely confined to grave inscriptions of the late Roman period, offers very little confirmation of this, although one remarkable new discovery will be mentioned below. But the coins of Severus' reign already show the legend *SEP(timia) TURUS METROP(olis) COLONI(a)*, and similar legends, with variations, continue up to the reign of Gallienus. In the absence of all other evidence the fact that for a period under Elagabal (A.D. 218–22) the city minted with the Latin legend *TVRIORVM* seems

remarkably fragile evidence for the common notion that the status of *colonia* was removed and then restored.¹²⁷

The inscriptional evidence for the colonial status of Tyre is not extensive but includes items of remarkable interest, complexity, and suggestiveness. The earliest is certainly a Latin inscription from Lepcis Magna in Tripolitania, the native city of Septimius Severus, itself a Phoenician/Punic city which had been Romanised in the early Empire, and had become a *colonia* under Trajan.¹²⁸ Among the many inscriptions from there honouring Severus and other members of his family, there is a statue base with the words *[[P. Septimio Getae nobilissimo Caesari]] Septimia Tyros Colonia Metropolis Phoenices et aliarum civitatum*.¹²⁹ Severus' younger son, Septimius Geta, held the title "Caesar" from A.D. 198 until he was made joint Augustus with his father and elder brother in 209. His name was erased from inscriptions, including this one, after his murder by his brother Caracalla, probably late in A.D. 211. The dedication of the original statue therefore belongs to the period A.D. 198–209.

What is significant about the inscription is that it is a conscious reflection of the historic connections between the two cities which had been created by the Phoenician colonisation of the North African coast in the archaic period, and was indeed reflected also in dedications by Lepcis, as the *Colonia Ulpia Traiana Aug(usta) Fidelis Lepcis Magna*, put up in Tyre and honouring its mother-city, before it in its turn became a *colonia*.¹³⁰ Precisely for that reason *Septimia Tyros* is not content here to be only *Colonia* and *Metropolis Phoenices* but adds *et aliarum civitatum*. It is entirely consonant with this that among the colonial coins of Tyre are ones portraying Dido supervising the foundation of Carthage. Thus, in the dedication to Geta, Tyre, made a *colonia* by a citizen of Lepcis, is recalling another and much older colonial relationship. The ancient glory of Tyre as a Phoenician city is also recalled on a colonial coin of the reign of Gallienus, on which, apart from the normal *COL TVRO METR* there are the legends in Greek *ΕΛΛΗ[ΝΕΣ]* and *ΚΑ ΔΙ ΜΟΣ*: the type recalls the invention of the alphabet in Phoenicia, and its subsequent transmission to Greece, by showing Kadmos giving a papyrus roll to three Greeks.

As was noted above (text following n. 71), it could have been expected that if a major Roman jurist originated from any of the *coloniae* of the Near East, it would have been Berytus, or Heliopolis. But in fact the major jurist of the classical period of Roman law, Domitius Ulpianus, came from Tyre. His official career and his fame as

a lawyer are duly reflected in a puzzling inscription engraved on a column found near the Roman arch of Tyre, which itself belongs to the early third century.¹³¹ The lettering on the column may be late Roman, and it is perhaps a re-inscription of a contemporary text. If it is indeed a re-inscription, the fact that it is in Latin and concretely recalls the colonial status of the third-century city will have made it a sort of historical monument in itself. It is reported as reading:

Domitio Ulpiano, Praefecto

Praetorio, eminentissimo viro,

iurisconsulto, item Praefecto

Annonae Sacrae Urbis SEDERIA (SEBERIA?)

FELIX AUG [. . .] PRIOR COL METROPOL

P[A]TRIA

The city title at the end seems confused, and it could of course be that the *col(onia)*, *metropol(is)* named is not in fact Tyre but some other city. However, Miss B. M. Levick, to whom I was very grateful for her comments on the published text and photographs, suggested that instead of *PRIOR* in line 5 we should read *TYRIOR*. *SEDERIA* in line 4 might be a personal name, *SEDEKIA(S) FELIX*, described as *AUG(ur?)* or *AUG(ustalis?)* of the *Tyrior(um) col(onia) metropol(is)*. The last three terms would then be in the same order as in the inscription from Lepcis Magna, though with the substitution of a group genitive plural for the place-name. *RIA* in the last line might be *[MEMO]RIA*. To go beyond that would be pure speculation. But Miss Levick confirmed that the lettering seems to be of the fourth century.

More securely located in its historical context is a Greek inscription of the mid-third century from Tyre, in honour of Septimius Odenathus:

Σεπτίμ(ιον) Ὀδίναθον τὸν λαμπρότατ(ον)
 Σεπτιμία κολ(ωνία) Τύρος ἡ
 μητρόπολις

. The date should be the later 240s or earlier 250s, and the person concerned is the famous Odenathus of Palmyra,

already a senator but apparently not yet ὑπατικός.¹³² A Roman citizen and senator, Odenathus came from a city which itself had been a Roman *colonia* for some decades (see below). Tyre, however, in erecting this statue as an honour from the city, has reverted to the use of Greek; and after the coinage ceases there is almost no evidence either for the public use of Latin there or for its status as a *colonia*

being given emphasis, or even remembered. In the extensive writings of a major third-century writer from Tyre, Porphyry, and in the biographical information about him, this status is nowhere alluded to: to Eunapius in the later fourth century, he came from “Tyre, the foremost city of the ancient Phoenicians” (*Vit. Soph.* 455). The title *metropolis*, on the other hand, was still in dispute between Tyre and Berytus in A.D. 448–50 (*CJ* 11, 22, 1). It is clear why it should have been that title which was in dispute, since *metropolis* implied a predominance over other cities which *colonia* did not. None the less, there is an element of paradox in the appearance of this and not *colonia* in a legal document of A.D. 448–50. For exactly in those years we know that the status of Tyre as a *colonia* could still be recorded: in the Acts of the Council of Chalcedon, in a section relating to proceedings in 449, Tyre appears in this guise:

ἐν κολωνίᾳ Τύρῳ λαμπροτάτῃ μητροπόλει ὑπατικῇ
¹³³ It had surely been long since a mere title, which reflected nothing about the social and cultural character of the city.¹³⁴

By contrast, almost nothing is known of Septimius Severus’ transformation of Sebaste in Samaria into a *colonia* beyond Ulpian’s bare statement (*Dig.* 50, 15, 1, 7): *Divus quoque Severus in Sebastenam civitatem coloniam deduxit*. The latter expression is surely nominal, not implying that actual settlers were brought there. Excavations there have provided evidence of significant re-building—colonnades in the forum, a basilica, a columned street, and a stadium—none precisely dated but possibly belonging to the Severan period.¹³⁵ The known inscriptions are extremely few; but one very fragmentary one seems to confirm that, as in other *coloniae*, there were *duumviri*, described by

the normal Greek equivalent, στρατηγοί.¹³⁶ The colonial coins at any rate give some elements of the city’s title: *COL(onia) L(ucia?) SEP(timia) SEB(aste)*.¹³⁷

That completes the list of the places within the already-established provincial area which received colonial status from Severus. What Sebaste did to earn this award is not clear; but elsewhere the connection with timely transfer to the Severan side in the civil war is explicitly or implicitly stated. Rather different considerations inevitably apply to the remarkable list of *coloniae* which made their appearance in newly conquered Mesopotamia, one of the least known and least understood areas of the ancient world.¹³⁸

The initial creation of the new provinces of Mesopotamia and

Osrohoene left as an enclave the small kingdom of Abgar with its capital Edessa, which was to become a *colonia* only under Caracalla (text to nn. 169–71 below). Here, as will be seen, there is remarkable evidence. Elsewhere we know only bare details. In the case of Nisibis

at least, Cassius Dio indicates vaguely that a status ^(ἀξίωμα) was given to the city at the moment of the formation of the province; but elsewhere he elucidates this point by saying that Nisibis is now “ours” and is regarded as a colony—

νῦν μὲν ἡμετέρα ἐστὶ καὶ ἀποικὸς ἡμῶν νομίζεται
¹³⁹ The coinage confirms this, though the legends are without exception Greek: the title as given on the coins expands from ΚΟΛ
 ΝΕΣΙΒΙ under Macrinus to ΙΟΥ (λία) ΣΕΠ (τιμία) ΚΟΛΩ (νία)

ΝΕΣΙΒΙ ΜΗΤ (ρόπολις) under Philip.¹⁴⁰ Until recently, nothing more was known. But now one of the fascinating documents which form a Greek-Syriac archive from mid-third-century Mesopotamia refers to a document drawn up

ἐν Σεπτιμῖα κολωνίᾳ μητροπόλει Νεσίβει
 , dating to A.D. 251.¹⁴¹ Ammianus’ narrative, which has so much to say of the fortunes of Nisibis in the fourth century, gives no hint that it was a *colonia*. On the other cities of Mesopotamia there is no literary evidence for this phase, and this status, at all. But the coins show that Carrhae/Harran certainly, and Reshaina and Singara quite probably, became *coloniae* under Severus. Carrhae minted alternately in Greek and Latin, the other two only in Greek.¹⁴² All three also claimed the title *metropolis*. In the case of Carrhae, one of the papyri (no. 16) was drawn up in A.D. 250

ἐν Αὐρηλίᾳ Κάρραις κολωνείᾳ μητροπόλει Μεσοποταμίας
 . The final publication of these papyri has shed some light on a potentially fascinating phase in ancient cultural history. This evidence, fragmentary as it is, is still a reflection of the remarkable impact of Severus on the map of the Near East, or at the very least on its toponomy.

The Third Century after Septimius Severus

Where Severus had led, his successors from the same dynasty, and their successors, followed. At least some aspects of the broader background to this development are clear: firstly, with the acquisition

of Mesopotamia the Near East became one of the main areas of imperial military activity, an activity stimulated in its turn by the Persian reaction of the 220s and after. Secondly, the remaining emperors of the Severan dynasty, Caracalla (A.D. 211–17), Elagabal (218–22), and Severus Alexander (222–35), descended on the maternal side from a family from Emesa (which was to be another new *colonia*; see below). Furthermore, Philip (A.D. 244–49) came from a place in the northern Hauran which was also to become a *colonia*-cum-Greek city under the name of Philippopolis.

The repeated presence of emperors in this region, and their deep involvement in military activity there, does serve in one way to explain, or at least to provide a framework for, some of the grants of colonial status. A glance at any map which specifies the formal status of cities in this region would show a line of *coloniae* stretching along the desert frontier from Arabia to the Tigris: Petra; Bostra; Philippopolis; Damascus; Palmyra, Dura-Europos(?); Carrhae; Reshaina; Nisibis; Singara.¹⁴³ But of course any notion that that status expressed any actual Roman military character, any role of these towns as fortresses in themselves, would be quite misleading. Furthermore, there were other cities which also received this status, such as Sidon, Flavia Neapolis, or Gaza, which can have been of no significance in external military terms; it is just possible that the threat of disorder posed by the Samaritans was relevant in the case of Neapolis. By contrast, the title of *colonia* was not granted to Seleucia in Pieria, which had served at least since the later first century as the main Roman port for this region,¹⁴⁴ explicit inscriptional evidence from Cilicia shows supplies being delivered from there for the Roman armies in Syria in the first half of the third century,¹⁴⁵ surely through Seleucia. It may seem equally surprising that the status of *colonia*, though granted, as we would expect, to Antioch (see below), was not conferred on Apamea. For it was not only a major city in its own right but was repeatedly the quarters of the Legion II Parthica, on campaign with emperors far away from its base at Albanum south of Rome.¹⁴⁶ If military relevance had been the criterion, we might also have expected that Zeugma on the Euphrates would also have become a *colonia*.

We have to conclude that though these grants do indeed reflect the close involvement of emperors with this region in the third century, they have to be seen in each case as the expression of the vagaries of imperial favour. Those made in the reign of Caracalla and after also

have the further characteristic that they accompany, or follow, that Emperor's grant of citizenship to all the inhabitants of the Empire. With that, one fundamental distinction between *coloniae* and the Greek, or semi-Greek, cities which surrounded them had been removed. In terms of citizenship there was now nothing to gain from being a *colonia*. What other rights followed, and what exactly they signified, depended on the terms of the grant in each case, which we do not always know.

It may not be irrelevant that Ulpian from Tyre is the only jurist of this period whom we know to have referred specifically to what moderns call "The *Constitutio Antoniniana*": *in orbe Romano qui sunt ex constitutione imperatoris Antonini cives Romani effecti sunt*. As the form of his allusion to him shows, Ulpian was writing under Caracalla, in whose reign he composed, as it seems, almost the whole of his vast corpus of work.¹⁴⁷ Not much of the relevant material incorporated in the *Digest* belongs more than a few years after that; and, in fact, the examples of *coloniae* given by Ulpian and Paulus stop with those of the reign of Caracalla. So, for instance, Ulpian can record the grant of colonial status and *ius Italicum* to Emesa, by Caracalla, without (at least in the quoted text) making clear that it was the home city of the Emperor's mother: *Sed et Emisenae civitati Phoenices imperator noster ius coloniae dedit iurisque Italici eam fecit*.¹⁴⁸ Until now nothing in the limited epigraphical material from the site has reflected the new status of the city. But an inscription with the names of Macrinus and Diadumenianus ends with *RESTITUIT COL. EMESENORUM*. It comes from the south-western limits of the city territory, bordering on that of Heliopolis.¹⁴⁹ The coins however are "colonial," although they are all in Greek: we find *ΕΜΙΣΩ ΚΟΛΩΝΙΑΣ* or *ΚΟΛΩΝ* (*ias*) in 215–16 and 253, and *ΜΗΤΡΟ ΚΟΛ* (or *ΜΗΤΡΟΚΟΛ*?) *ΕΜΙΣΩΝ* under Elagabal (A.D. 218–22).¹⁵⁰ These coins may thus represent the earliest attested

appearance of the hybrid Greek-Latin term *μητροκολωνεία*, attested a few decades later also at Palmyra (see below). Whether it was intended in this case to reflect Elagabal's own derivation from the city is not clear. Beyond that, our evidence fails us. The fourth-century literary evidence, which indicates that Emesa was then in decline, gives no hint of its colonial status.¹⁵¹

Ulpian does not refer to Caracalla's grant to Antioch. But Paulus, apparently writing after the Emperor's death, does: *Divus Antoninus Antiochenses colonos fecit salvis tributis* (*Dig.* 50, 15, 8, 5). The grant was thus the purest of formalities, for *salvis tributis* will mean that no

exemption from either *tributum capitis* or *tributum soli* was given. The coins, beginning under Elagabal, do however reflect the new status, showing legends, all in Greek, such as *ANTIOXEΩN MHTP KOA*, and *ANTIOX MHTP KOAΩNIAS*.¹⁵² So limited indeed was the impact of colonial status on the culture of Antioch that Libanius, born in A.D. 314, could begin his *Autobiography* by refuting the misconceived notion that his grandfather, presumably born in the middle of the third century, had been an immigrant from Italy. The idea had arisen because the grandfather had once composed a speech in Latin: “The fact is that, although he was versed in Latin, he originated from nowhere else but here.”¹⁵³ There seems to be nothing in the extensive fourth-century evidence relating to Antioch to suggest that the title was still remembered.¹⁵⁴ However, another of the new documents from Mesopotamia (no. 5) is a petition of A.D. 245, posted *ἐν Ἀντιοχ(είᾳ) κολ(ωνίᾳ) μητροπόλει* in the Hadrianic baths.¹⁵⁵

Ulpian also records, immediately after Emesa, in his list of places with colonial status: *Est et Palmyrena civitas in provincia Phoenice, prope barbaras gentes et nationes collocata* (Dig. 50, 15, 1, 5). Ulpian’s description of the place is very striking, for he must presumably be alluding to other unsettled peoples of the Syrian desert west of the Euphrates. As we now know, Palmyrene settlement extended a substantial distance west and north-west, and inscriptional evidence shows that their territory had common boundaries with Greek cities to the west in the Orontes valley: Apamea (probably) and Emesa certainly.¹⁵⁶ But the city also maintained at least outposts to the east along various routes all the way to the Euphrates itself.¹⁵⁷ If Ulpian were thinking of truly unsubdued Arab *gentes* and *nationes*, their territory must have lain to the north, between Palmyra and Chalcis, or more probably to the south, where Palmyrene territory shaded off into the true desert of the Empty Quarter. At any rate this is the aspect which Ulpian chooses to stress rather than any role in the protection of long-distance trade with the East, or any function as a military strong point in relation to Parthia. By comparison with his allusions to grants of colonial status in connection with the civil war of the 190s, he does not in this case offer any explanation of how or by whom the title came to be conferred. Nor does he make clear whether he would have thought of the *Palmyrena civitas* itself as being somewhat *barbara*.

For us, however, though we remain entirely ignorant of the date or immediate context of the grant to Palmyra, the fact that Palmyra is

the only city in the entire Near East to offer a long series of public inscriptions in both Greek and a Semitic language has the further consequence that it offers the fullest documentary, and trilingual, reflection of the new status. Palmyra, like Edessa (below), offers the image of a city which was “Semitic,” Greek, and Roman all at once—or, at any rate, was so for the few decades before its reconquest by Aurelian in 272.

Before the grant of colonial status, apparently under Severus or more probably Caracalla, its formal character as a community had been merely dual, Greek and Palmyrene. This character is best seen in the famous tax law of the 130s, where the city is

Ἀδριανὴ Πάλμυρα in Greek. HDRYN’ TDMR (Tadmor) in Palmyrene. It has a *βουλή* and *δῆμος* / BWL’ WDMS; and office-holders with the Greek titles: *proedros* (given as the abstract noun *proedria*—PLHDRWT’); *archontes* / ‘RKWNY’; a *grammateus* / GRM

T. WS. These terms are all, as is obvious, merely transliterated into Palmyrene. But a further term, *dekapr* *ō* *toi*, or perhaps better *decuria* (as Teixidor suggests), is not, being translated as ‘ŠRT’, or “group of ten.”¹⁵⁸

Palmyra, as it was in the last two-thirds of the second century, could thus be seen as a place with the normal institutions of a Greek *polis*, but where those institutions were, uniquely, also reflected in a long series of public inscriptions in a Semitic language. Like many a Greek city it had acquired also a Roman imperial name, *Hadriane*; and the inscriptions also show a steady intrusion of Roman citizen names, borne by individuals. Then, from Caracalla onwards, the standard “Roman” name borne by a Palmyrene is of a strange form, with two “imperial” *nomina*, that is both “Iulius” and “Aurelius.” There is no way of determining whether Caracalla’s universal grant of citizenship or the specific grant of the status of *colonia* to Palmyra came first; but the latter also seems to date to his reign.¹⁵⁹

What is clear is that we have unambiguous evidence in the epigraphy of Palmyra for the colonial status of the city and the adoption of a colonial constitution, headed by an annual pair of *duumviri*. But, apart from a couple of milestones in Latin referring to the *col. Pal.*, or *col. Palm.*,¹⁶⁰ all the evidence is in Greek or Palmyrene. The colonial status of the city is therefore expressed in Palmyrene inscriptions either by transliteration (QLNY’) or by using the normal Greek equivalent for the *duumvir* of a *colonia*, namely

στρατηγός, transliterated as 's T R T G in Palmyrene. Once, however, we will see (below) an attempt to produce in Greek a translation rather than equivalence.

Only a few of these items of evidence are dated to the decades immediately following the conferment of colonial status. The earliest is an honorific Greek inscription from the Great Colonnade, dating to A.D. 224/5, and recording Iulius Aurelius Seiba Ath[e]akabas and

(Iulius Aurelius?) Titianus Athenodorus as στρατηγούντων

.¹⁶¹ Then there is a bilingual honorific inscription, also from a column in the Great Colonnade, dating to A.D. 242/3, and referring back to the service of Iulius Aurelius Zenobius, also called Zabdilas, on the occasion of the visit of the emperor Severus Alexander, in the early 230s.¹⁶² In the Greek text he is referred to as

στρατηγῆσαντα, but in the Palmyrene more fully as 's T R T GLOLNY'. Earlier he had another office, described as ἀγορανομῆσαντα, surely in the context the equivalent of

aedilis. In this case the Palmyrene version gives a translation, RB ŠWQ, "controller of the market" (souk). It is important to stress that Palmyrene was a living language, whose use was not passively dependent on Graeco-Roman conceptions and terminology. This point is confirmed by a bilingual inscription (*Inventaire* X, 115) from the Agora, in which Iulius Aurelius Malichus is honoured as a past *strat ē gos* and *agoranomos* of the *colonia*. The second office is described in

Palmyrene via an abstract noun, and the first probably is also: [B's T R T GWT' DY] QLNY' WBRBNŠQWTH—"in his *strat ē gia* of the *kol ō neia* and in his control of the market."

From October A.D. 254 we have a bilingual inscription honouring Iulius Aurelius Ogga apparently as

δυσανδρικὸν, φιλοτείμ]ως στρατ[ηγῆσαντα κα]ὶ μαρτυρηθέν[τα . . .]

. If the restorations are correct, the office of *duumvir* / στρατηγός was referred to twice in different ways. Here again the Palmyrene version is not a simple transliteration

or even a translation, but a slightly different text: WŠPR LHWN B's T R T GWTH—"and gave them satisfaction in his *strat ē gia*."¹⁶³ The remaining evidence, dating to the middle of the third century, reflects

the rise of Palmyra to independent power under the leadership of Septimius Odenathus. The spread to other leading Palmyrenes of the Roman imperial *nomen* “Septimius” seems to be a result of this local leadership, and not of an earlier set of grants by Septimius Severus.¹⁶⁴ Thus the person to whom most of the relevant texts refer, Septimius Worod, seems to be the same as the “Aurelius Worod” attested in A.D.

258/9 as a Roman *equus* (which appears as ἱππικός / HPQ') and city councillor of Palmyra

(βουλευτῆς Παλμυρηνός / BYLWT' TDMRY')

¹⁶⁵ With the assertion of independent power by Palmyra, this man rose to a series of important positions. In 262 a bilingual inscription from the Great Colonnade describes him as

[τὸν κράτιστ]ον ἐπίτροπ[ον Σεβαστοῦ δ]ουκηνάριον / QRTYSTS 'PTRP'

. At this point he is more probably still in imperial service. The man putting up the inscription is a *duumvir* of the *colonia*, Iulius Aurelius Nebuzabadus,

[στρατ]ηγὸς [τῆς] λαμπροτάτης κολωνείας / 'STR(Ṭ)G' DY QLNY'

¹⁶⁶

Septimius Worod was also at some point *aedilis* and then *duumvir* of the *colonia*, possibly before A.D. 262. For another bilingual inscription from the Great Colonnade, whose Palmyrene text is almost entirely missing, and whose precise date is uncertain, records that he had held these offices in the past:

λαμπρῶς στρατηγήσαντα καὶ ἀγορανομήσαντα τῆς αὐτῆς μητροκολωνείας

. This new term **μητροκολωνεία** (perhaps first recorded at Emesa; see text to n. 150 above) is a perfect expression of the hybrid character of the more prominent cities in the Roman Near East in this period. The form in which it is used here, however, is a function of the fact that the inscription has already mentioned Septimius Worod's

present post: [δι]κεοδότην τῆς μητ[ροκολω]νείας

¹⁶⁷ This expression may or may not be intended as the equivalent of the Persian title *argapet* (governor), attributed to Septimius Worod on some other inscriptions of 265–67, that is, the last couple of years of the rule of Septimius Odenathus before his murder in 267.¹⁶⁸ That raises problems which are not strictly relevant here. But it seems to be from the same period that we have a fragmentary Greek dedication from the monumental arch, using the expression “King of Kings,” and referring to a victory over the Persians, put up by two men, one of

whom seems to be the same Septimius Worod with a more developed set of Roman Imperial *nomina*:

Ιούλιος Αὐρήλιος [Σεπτί]μιος Ο[ὕ]ο[ρ]ώδης

. The two dedicants are described as

ἀμφότεροι στρα[τηγοὶ τῆς λαμ]προτάτης [κ]ολων[ν]είας

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It is not necessary here to pursue the question of the career of Septimius Worod or the precise form of government and office-holding in Palmyra during the brief period of its rise to power. Suffice to say

that the civt continued to designate itself as a *κολωνεία* / QLNŸ'

or *μητροκολωνεία* (no Palmyrene equivalent is yet attested), and to have *strat ē goi* among its annual officials up to the last few years of its fully independent existence. We might have expected also that the coinage of Palmyra, as of the other *coloniae* of this region, would contribute something to our understanding of its character. But the small bronze coins of Palmyra, not certainly datable, reveal nothing about its formal designation or status.¹⁷⁰

The reconquest of the city by Aurelian in 272 took place at about the moment when city coinages generally ceased, and there is no reason to imagine that minting there would have continued anyway. Inscriptions in Palmyrene might have; but in fact it seems that they ended abruptly. The city was not in fact destroyed; instead it continued, so far as we know, as a minor Greek provincial place, with a Roman garrison.¹⁷¹ The few Greek inscriptions of the fourth century and after, mainly Christian epitaphs, give no hint that the city's status as a *colonia* was still recalled. But there is at least one Latin milestone of the Tetrarchic period to prove that colonial status survived the reconquest (text to n. 160 above).

None the less, the evidence available shows that in the decades between the grant of colonial status and the reconquest by Aurelian, the previously "Semitic," Greek, or "Arab-Greek" city took on many "Roman" features. As regards the widespread adoption of Roman names, largely in the anomalous form "Iulius Aurelius . . .," we cannot clearly distinguish between the effects of becoming a *colonia*, and the more general effects of the *constitutio Antoniniana*. But it is quite evident that the city adopted or received a new "colonial" constitution, with *duumviri* and *aediles*, under the Greek designation of *strat ē goi* and *agoranomoi*.

goi—"in the *strat* $\bar{e}$ *gia* [B's $\bar{T}$ R $\bar{T}$ GWT'] of Marcus Aurelius Abgar, Roman knight, son of Ma'nu, grandson of Agga, and of Abgar, son of Hafsai, grandson of Bar-Kmr." On the verso one of the two *strat* $\bar{e}$ *goi/duumviri*, Aurelius Abgar, appears as a witness, writing his own signature both in Svriac—'WRLS 'BGR S $\bar{T}$ R $\bar{T}$ G' ŠHD (witness)—and in Greek: Ἀβγαρος or $\text{Ἀβγαρ ὁ στρ(ατηγός)}$.¹⁷⁵ That he could and did write both is a very significant fact.

The document shows throughout the impact of Roman citizenship and Roman nomenclature. All the persons involved, both male and female, have Roman names, with Semitic, or in one case Greek, *cognomina*. Almost the same applies to the seller, Lucius(?) Aurelius Tiro, son of Bar B'šmn, $\bar{H}$ RNY—"Harranian," that is, from Carrhae/Harran, also now a Roman *colonia* (text to n. 142 above). But we also seem to find traces of the previous system of city government of Edessa. For there is still a scribe (SPR') in whose hand the main body of the text is written, and who concludes it with the words "I Marcus Aurelius Belšu, son of Moqimu, the scribe, have written this document" (MRQWS 'WRLYWS BLŠW BR MQYMW SPR' KTBT ŠTR' HN'). Immediately above, another official, perhaps the supervisor of the archives, writes in Greek:

$\text{Ἀϋρ. Μάννος ὁ ἐπὶ τοῦ ἱεροῦ καὶ τοῦ πολιτευτικοῦ μ(α?)ρ(τυρῶ?)}$

. There follows a seal with the image of Gordian III (A.D. 238–44). The use of Greek, however, may serve to introduce one of the most anomalous features in the history of Edessa as a Roman *colonia*. There appear to be no inscriptions reflecting this status. But, as elsewhere, there are coins, which, like those of most other Mesopotamian *coloniae*, are entirely in Greek. The legends come in a variety of forms:

$\text{ΚΟΛΩ (νία) M (ητροπόλις?) A(ῡ?)P(ηλία?)}$ or $\text{MAP (κία?) E Δ ΕΣΣΑ; MAP AY ANT (ωνινιανή) ΚΟΛ E Δ ΕΣΣΑ; MHT ΚΟΛ E Δ ΕΣΣΑ}$, and so forth; the colonial coins begin under Elagabal, or possibly Caracalla, and continue under Severus Alexander (A.D. 222–35) and Gordian III (A.D. 238–44).¹⁷⁶ But then, still under Gordian III, we find coins with the Emperor on the obverse, and on the reverse one figure seated on a podium and, before him, another standing figure, wearing a high tiara and offering him a statuette. The identifications are not left open to doubt; they are the Emperor himself and "King Abgar": $\text{ΑΥΤΟΚ ΤΟΡ Δ ΙΑΝΟΣ, ΑΒΓΑΡΟΣ ΒΑΣΙΛΕΥΣ}$. Other coins with Gordian on the obverse show King Abgar,

riding a horse, on the reverse, or a bust of him wearing a tiara.¹⁷⁷ The coins thus offer a remarkable confirmation of the view reached by von Gutschmid in 1887 in studying the entries relating to kings of Edessa which are scattered through the eighth-century Syriac *World-Chronicle*, whose author should properly be identified as Pseudo-Dionysius of Tell-Mahr ܕܢܝܨܝܫܘܬܝܬܝܠܡܗܪ.¹⁷⁸ The text of the chronicle is now available in a modern edition, but one only usable by fluent readers of Syriac.¹⁷⁹ In spite of the excellence of von Gutschmid's work, it should be stressed that the list as established by him, and often subsequently quoted, was the result of extensive correction and adjustment; in particular, the chronicle plainly places each of the later kings a couple of decades too early. The work needs to be completely re-done in the light of subsequent documentary evidence. In the mean time no reliance whatsoever can be placed on the numbering, or exact dates or identities of the kings, as derived from this chronicle.

It is however clear that the list, however confused in the course of transmission, does embody reflections of a genuine succession of kings known from contemporary evidence. Von Gutschmid's attempt to make sense of it was in itself entirely justified. He concluded, as regards the third century, that in A.D. 179–214 there fell the thirty-five-year reign of a King Abgar, to whom he gave the number IX, and whose full name was L. Aelius Septimius Abgar. Without all the evidence being necessary here, this is essentially correct; this is the “King Abgar” ruling when there was the flood of A.D. 201, recorded by the *Chronicle of Edessa* (text to n. 173 above); the ΒΑΣΙΛΕΥΣ ΑΒΓΑΡΟΣ whom the coins show to have been a contemporary of Severus; and the “Septimius Abgar” whose *regnum* is attested in *AE* 1984, 920, of A.D. 205 (text to n. 173 above).

Von Gutschmid concluded that there followed a joint reign of Abgar IX and his son Severus Abgar (X), and then the nominal rule as “Titularkönig” of Ma’nu son of Abgar, in A.D. 216–42, followed finally by the restoration of a genuine king, whom he thought was called Abgar (XI) Phrahates, son of Ma’nu.

The headings of the two extensive Syriac documents from the important new archive from Mesopotamia show both that there is a reflection of a genuine sequence of events in all this, but also that it now requires radical readjustment.¹⁸⁰ Firstly, the document designated *P.Euphr.Syr. A* is dated 18.12.240,¹⁸¹ in the Seleucid year 552, year 3

of Gordian and year 2 of 'LYWS SP 𐤠𐤌𐤕𐤍𐤕𐤍𐤕 MYWS 'BGR MLK' BR M'NW PSGRYB' BR 'BGR MLK'; that is “year 2 of Aelius Septimius Abgar, son

of Ma'nu, crown prince, son of Abgar the King.” As Teixidor suggested, this allows the reconstruction of a much simplified succession: firstly “the” Abgar, the contemporary of Severus (with the possibility that it was he rather than a son called Abgar who was deposed by Caracalla, as recorded by Dio 77, 12, 1a–1²); then Abgar’s son Ma’nu, left with the status of “crown prince” (PSGRB’) for the twenty-six years 212/13–239,¹⁸² then the restoration as king of Ma’nu’s son, Aelius Septimius Abgar. His second year coincided with Seleucid year 552, autumn 240–autumn 241, so his first coincided with autumn 239–autumn 240. It is thus he who appears on coins along with Gordian III.

At that point the title *colonia*, which had been in regular use on the coins of Edessa (text to n. 176 above) was dropped, for the name and title of the city itself appears in the papyrus as “Orhai the fortified city which is the mother of all the cities of Mesopotamia” (’RHY B’RS MDYNT’ DYT’ ’M’ DMDYNT’ KLHYN DBYT NHRYN).

The restoration thus certainly occurred a couple of years earlier than had previously been supposed. It did not last long. As we saw, the Syriac deed of sale from Dura-Europos shows that Edessa was again a *colonia* in A.D. 243. But in fact colonial status had reappeared, and the king had disappeared, even earlier. For the Syriac document which Teixidor designated B is dated 1.9.242, year 5 of Gordian, Seleucid year 553, and year 30 “of the liberation of the renowned Edessa Antonina Colonia Metropolis Aurelia Alexandria” (D  RWR’ D’NTWNYN’ ’DYS’ N  Y  T’ QLWNY’ MTRPWLS ’WRLY’ ’LKSNDRY’)—therefore exactly as in the deed of sale of the following year.¹⁸³

Inevitably therefore, the results of modern discussions of this tangled sequence of events now require radical revision.¹⁸⁴ Some of the “colonial” coins of Edessa under Gordian III may indeed date to after the restoration, and coins of the reign of Decius (A.D. 249–51) also have *KOΛ E*  *ΕΣΣΑ*. Some time not long after that coining will have ceased, along with that of all the other cities of the Greek East.

The colonial constitution of the city continued, however. The Syriac martyr act of Shmona and Guria, relating events which seem to have occurred in A.D. 308, gives a dating (para. 1) by the *strat ē gia* (B’s  R  YGWT’) of Abba and Abgar; while the closely related martyr act of Habib the deacon, describing comparable events which perhaps date to A.D. 310, gives a similar local dating (para. 1) as “in

the *stratēgia* [B's T R T GWT'] of Julius and Barak." But this narrative also, like the record of the flood of A.D. 201, represents "superintendents" of the city (ŠRYR' DMDYNT', para. 3), who play a role in the persecution, reporting Habib's activities to "the governor"

(HGMWN'— ἡγεμών, i.e., *praeses*).¹⁸⁵ The standard Greek equivalent term for *duumvir*, *stratēgos*, had thus taken firm root in the political structure of the city. But there does not seem to be any later Syriac literature relating to Edessa which shows that same structure continuing.

That ends the list of the exotic *coloniae* of Mesopotamia; none, incidentally, not even Nisibis, is referred to as a *colonia* by either Ulpian or Paulus. For Ulpian, Palmyra, "situated near barbarous *gentes* and *nationes*," was perhaps exotic enough. His set of examples of *coloniae* (*Dig.* 50, 15, 1) was written under Caracalla (A.D. 211–17); as for Paulus, the transmitted text of his enumeration (50, 15, 8) seems ambiguous as to whether Caracalla was still alive at the moment of writing or not. At any rate neither makes any reference to the colonial foundations of the reign of Elagabal (A.D. 218–22), or later, a final phase of which even less is known, and which may be summed up briefly here. In very few cases is there any intelligible historical context for the grant of colonial status. But since, of course, this status was already widespread in the region, further grants may not require much explanation. Moreover, with the 220s we are approaching even closer to the period when city minting and then the "epigraphic habit," never so developed here as for instance in North Africa or western Asia Minor, came wholly or largely to an end.

It seems that it was under Elagabal that Sidon became a *colonia*. Perhaps surprisingly, its colonial coinage is consistently in Latin: AUR PIA SID COL MET under Elagabal; COL AU(r) P(ia) METR SID, sometimes with AETERNU(m) BENEFI(cium), or COL AUR PIA MET SID under Severus Alexander (A.D. 222–35).¹⁸⁶ There are no inscriptions to attest the new status. But by a fortunate accident there is a papyrus of A.D. 267, in which a pancratiast records that he had been victorious in the "sacred iselastic oecumenical periporphyran

isolympian contest" ἐν [κο]λωνίᾳ Σιδονίων πόλει.¹⁸⁷

The nature of the contest is entirely Greek; but none the less its Roman status is part of the formal titulature of the city. It is also interesting to see this and other evidence for the continuation of city athletic (and theatrical) festivals in the period of the crisis of the

Empire. But no further evidence is available to illuminate the life of Sidon as a *colonia*.

It was also under Elagabal that the little-known city of Arca or Caesarea ad Libanum, situated at the northern end of the Mount Lebanon chain, was granted the rank of *colonia*. In this case the explanation seems simple, for it was the native city of the Emperor's uncle by marriage, Gessius Marcianus, the husband of his aunt, Iulia Mamaea.¹⁸⁸ Consequently the city was also the native city of her son, Elagabal's cousin and successor, Severus Alexander.¹⁸⁹ But it was in fact early in Elagabal's reign, soon after his coup d'état in Syria in 218, that the elevation took place.¹⁹⁰ The evidence in this case is provided solely by the city coinage, which begins under Antoninus Pius with the designation of the city as ΣΚΑΙΣΑΡΕΩΝ ΤΩΝ ΕΝ ΤΩ ΛΙΒΑΝΩ or ΚΑΙΣΑΡΕΙΑΣ ΛΙΒΑΝΟΥ. Then in the Seleucid year 530, A.D. 218/19, coins appear with the Latin legend COL CESARIA LIBANI; under Severus Alexander as Caesar, A.D. 221/2, there is the variant COL CESA ITUR. Why the historical connections of the city with the Itureans of Mount Lebanon and Anti-Lebanon should have been recalled at this point is not known.

It seems similarly to have been under Elagabal that Petra received the rank of *colonia*.¹⁹¹ Nothing whatsoever is known of the circumstances, but we find on its coins from the reign of Elagabal the Latin legend COLONIA PETRA, sometimes also written PETLA COLONI(A). Here again, therefore, the formerly Nabatean city, whose formal character had been for a century that of a Greek city, with the

title Ἀδριανὴ Πέτρα Μητρόπολις, was transformed into a Roman *colonia*. By luck, given the very slight harvest of Greek and Latin inscriptions from Petra, there is at least one which confirms the new status. A statue base from the *temenos* of the Qasr Bint Far'un is inscribed in Greek with the name of Valerius Iulianus, *procurator* of two emperors, honoured by the *m ē tropolis* and *m ē trokol ō nia*, and is dated by the two *strat ē goi / duumviri* in office:

Οὐαλέριον Ἰουλιανὸν τὸν / κράτιστον ἐπίτροπον τῶν / Σεββ. ἡ μητρόπολις καὶ μητροκολ(ωνία) / τὸν ἑαυτῆς εὐεργέτην / διὰ [...] ρ. Θεοδώρου καὶ Ἀριστείδου στρατηγῶν .¹⁹²

The hybrid Latin-Greek word

mētrokolōnia / μητροκολωνία thus appears once again (cf. text to nn. 167–69 above). The inscription, modest as it is, is also

sufficient to confirm that the normal restructuring of the city constitution took place here also.¹⁹³ But in this as in almost all other respects the subsequent history and nature of Petra as a Roman-Greek-Nabatean city in the late Roman period remains a mystery. But note now the title appearing in *P. Petra* 1 (23.5.537), lines 4–5:

ἐν Αὐγουστοκολωνίᾳ [Α]ντωνιανῇ ἐ[π]ι[σ]ήμ[ω]
καὶ εὐ[.]ε[.]ε[.]ι[μ]η[τρί] κ[ολωνιῶν] / Ἀδριανῇ Πέτρᾳ μητροπόλει τῆς Τρίτης
Παλαιστίνης Σαλουτ[αρίας] ¹⁹⁴

In the next reign, that of Severus Alexander (A.D. 222–35), the other major city of the province of Arabia, Bostra (known since

Trajan's acquisition of Arabia as Νέα Τραιανὴ Βόστρα followed suit, and gained the title *colonia*. Again, we have no historical context for the grant. Apart from a single Greek inscription which records a dedication on behalf of Gordian III by

ἡ κολωνία, dated to the 134th year of the province (A.D. 239),¹⁹⁵ the sole explicit evidence is provided by the city's coins, which have the legends COLONIA BOSTRA, N(ea) TR(aiana) A(lexandriana), COL BOSTRA and COL METROPOLIS BOSTRA / BOSTRON / BOSTRENORUM.¹⁹⁶ However the inscriptions of third- and even fourth-century Bostra do reflect the existence of local offices with Latin titles. An undated Latin inscription (*IGLS* XIII 9029) mentions *quaestoribus*; but, more important, one of 323/6 is dated

ἐπὶ κουαιστορείας (*IGLS* XIII 9112), while two men are

described as ἀπὸ φλάμενος (*IGLS* XIII 9008–9). These texts are undated, but surely derive from the third century. However there is nothing else in the attested titulature of city officials in this period to reflect its colonial status, not even the appearance of the term

στρατηγός.¹⁹⁷ We can be sure that the normal language of Bostra, even for legal purposes, continued to be Greek: the fact is explicitly attested in a papyrus from Oxyrhynchus (*P. Oxy.* 3054) recording the sale of a slave at “Bostra in Syria” in A.D. 265,

κατὰ δίπλωμα Ἑλληνικόν. Yet the document makes curiously insistent use of what seem to be Roman tribal names:

φυλῆς Ἀν[.] —Aniensis? [.]εργία —Sergia? and
φυλῆς Ρωμ —Romilia?¹⁹⁸ As elsewhere, we are confronted

with complex mutual influences whose overall effect we cannot claim to understand.

Nothing suggests that further grants of colonial status followed in the reign of Gordian III (A.D. 238–44), in spite of the Persian campaign on which he met his death. But several such grants seem to have come in the reign of his successor Philip (A.D. 244–49). In some instances the evidence is minimal. All that we know of Damascus as a *colonia* is the legend COL DAMAS METR on coins from Philip's reign to that of Gallienus.¹⁹⁹ Other cases are clearer. One is Flavia Neapolis (present-day Nablus) in Samaria, which had been made a city by Vespasian. Under Philip the new colonial status is reflected in a remarkable variety of different Latin coin legends: COL SERG NEAPOL; COL IUL NEAPOLI; NEAPOLIS COLON; NEAPOLI NEOCORO COL. Then, under Gallus and Volusianus, there is COLON(IA) NEAPOLI(S).²⁰⁰ In this case it so happens that a rabbinic source, a commentary on Lamentations, seems to provide a reflection of the new rank: "After

Jerusalem was destroyed Caesarea became a metropolis [M T RWPWLYN], Antipatris a city [MDYNH] and Neapolis a *colonia* [QLWNY'Y]." ^T²⁰¹ The Midrash on Lamentations is thought to date to the fifth century. If so, it is interesting, and consonant with the other evidence, that Caesarea's status as a *metropolis* should be more visible than that as *colonia*; but the more recent grant, of colonial status to Neapolis still attracts attention.

In parallel with that there is of course the much better-known case of Philippopolis in the northern Hauran, founded as a city with the rank of *colonia* by its most famous citizen, Philip "the Arab." The place will perhaps have been a substantial village before its elevation, though nothing is in fact known of its earlier name (probably, but not certainly, related to its present name, Shahba), of its character as an urban conglomeration, or of its degree of self-government; it may even be (as Segal, n. 206 below, suggests) that the new city was built on a virgin site. This lack of information is unfortunate but also surprising, for the physical remains of the substantial villages, and occasional towns (Canatha and Soueida/Dionysias), of this region, with their rich crop of inscriptions illustrating village self-government, allied with intensive study in recent decades, have made this one of the best-known regions of the Roman Near East.²⁰²

The Emperor, M. Iulius Philippus, born in about A.D. 204, was the son of a local notable of equestrian rank, Iulius Marinus, both of whose sons embarked on prominent equestrian careers.²⁰³ The notion

that we are concerned with a family of low-class brigands (*Epit. de Caes.* 28, 4) can safely be dismissed; more probably they were quite substantial landowners. The re-foundation of the place as a city with the rank of *colonia* had a considerable impact both locally, in the wider Syrian region, and in the historical tradition on Philip. In the town itself we find the building, in the very distinctive black basalt of the region, of a shrine dedicated to the now deified father of the

Emperor, Marinus: *θεὸς Μαρῖνος* or *Divus Marinus*.²⁰⁴ The theatre of Philippopolis, also in black basalt, and situated close to the sanctuary, seems to have been built at the same time.²⁰⁵ So, probably, was the main street, along with the walls and gates.²⁰⁶ The constitution of the new city is not illustrated by any documentary evidence; but a Greek inscription contains a dedication for the safety of Philip and his son by three *bouleutai*,

προεδρία Μαρρίνου ἔτους πρώτου τῆς πόλεως

.²⁰⁷ Coins of the reign of Philip (but not after) have the Greek legend ΣΦΙΛΙΠΠΟΠΟΛΙΤΩΝ ΚΟΛΩΝΙΑΣ.²⁰⁸ It was very likely of this new foundation that someone at Sakkaia (later Maximianopolis, now Shaqqa), a few miles away, was thinking when he put up a verse

epigram ending with the words *εὐτυχίτῳ ἡ κολωνία* —“Good luck to the *colonia*.”²⁰⁹

Rather further afield, the author of the Thirteenth Sibylline Oracle, written a few years later, probably in Emesa, noticed the adornment of this city and of one other new *colonia* in the vicinity, Bostra, but not specifically their new formal status: “Now bedeck yourselves, cities of the Arabs, with temples and stadiums, agoras and streets, glorious wealth, and statues of gold and silver and ivory . . . Bostra and Philippopolis.”²¹⁰ The new foundation also achieved a mention in Aurelius Victor’s brief account of the reign of Philip, written over a century later: *conditoque apud Arabiam Philippopoli oppido* (*Caes.* 28, 1). Here too, as so often, and almost universally in the fourth century, the specific status of *colonia* has dropped out of sight.

With that the list of *coloniae* in the Near East is almost complete: the very uncertain cases of Ascalon, Gadara, and Gerasa, none of which produced any colonial coins, need not be discussed in detail.²¹¹ There remains, firstly, Dura-Europos, which also never minted its own coins, but where a papyrus contract of divorce of A.D. 254, almost the latest document from the history of the town, gives it a title which possibly reflects both its foundation in the early Hellenistic period and a new

Roman status:

ἐν κολωνείᾳ Εὐρωπ[αίων Σελεύκου] Νευκάτορος [τῇ] ἱερᾷ [καὶ] ἀ[σύλ]ῳ καὶ ἀ[ὐ]τονόμ[ῳ]

. The title is enough to give substance to a couple of other references, one with the loan-word *κόλωνες*, in the plural, among the inscriptions in Dura, suggesting that the title had been conferred here too, by which emperor we do not know.²¹²

The same three Greek titles, “sacred, inviolate, and autonomous,” are used to describe the city of Gaza in an inscription from Portus near Rome, dating to the reign of Gordian III.²¹³ It seems clear that the place was not yet a *colonia*. But a lead weight from Gaza itself shows

that it too did become one at some point: *κολωνίας Γάζης*, *ἐπὶ Ἡρώδου Διοφάντου*.²¹⁴

It is perhaps paradoxical that this relatively obscure place should not only have gained such an honour, but should also have been the location of quite extensive narratives relating to the fourth and fifth centuries, which duly confirm that it then had a colonial constitution. The first is the brilliantly evocative *Vita of Hilarion* by Jerome, covering the first half of the fourth century.²¹⁵ Being in Latin, it can of course deploy the correct terminology. We thus find that the chief official of the city is a *Gazensis duumvir* (ch. 20). Confirmation is offered by Sozomenus’

Ecclesiastical History, which speaks of *στρατηγοί* (5, 3); and perhaps by Mark the Deacon’s *Life of the Bishop Porphyry*, which

speaks of “the two leading men,” *τῶν δύο πρωτευόντων*, named Timotheos and Epiphanius, along with a *d ē mekdikos* and some *eir ē narchoi* (25), in office in the last couple of years of the century. However, two chapters later (27) he speaks of three *pr ē teuontes*; if this is not a simple error, it could mean the two *duumviri* (?) and the *ecdicus*, or *defensor*.

Neither Jerome nor Mark the Deacon explicitly refers to the city as a *colonia*; if their evidence suggests that the city still had a colonial constitution, it is only implicitly. So far as is known, the city had never minted any colonial coins; and if any *coloniae* were still benefitting from remission of direct taxation, Mark’s narrative categorically implies (41) that Gaza was not among them.²¹⁶

Conclusion

It is not entirely unsuitable that this survey of the *coloniae* of the Roman Near East should end on so uncertain a note. From one point

of view the discussion might serve to emphasise how fragile, limited, and disparate is the evidence for the physical nature, social composition, self-government, and collective images of cities in this region under Roman rule. From another, however, it might serve to suggest how considerable the changes brought about by Roman rule were. Even if we ignore fundamental issues of social history such as the extension of cultivation, the growth of substantial villages in many regions, and the efflorescence of places calling themselves towns, Roman rule profoundly affected the personal and collective identities by which people lived. Quite outside the list of places which became *coloniae*, Latin place-names, from “Julias,” “Livias,” and “Tiberias” onwards, were scattered liberally across the map of the Near East, while Latin personal names, and then the Roman *tria nomina*, found their way into common use, not only in Greek but in Semitic languages.

From the strictly linguistic point of view it is also revealing that the Near East was a zone in which Latin, Greek, and Semitic languages operated in a complex set of interrelationships. So *colonia* and *colonus* could become *κολωνία*, or *κολωνία*, and *κόλων*, and these in their turn QΛNY’, or QΛWNY’, and QWLWN. In the form of a loan-word *colonia* and its cognates found their way into several different Semitic languages: Hebrew, Jewish Aramaic, Palmyrene, and Syriac. Since Nabatean remained in use until the fourth century, it is not impossible that the word might one day turn up here too.

The main wave of grants of colonial status, beginning under Septimius Severus, immediately preceded, or accompanied, Caracalla’s grant of Roman citizenship for all the inhabitants of the Empire. The status thus automatically lost one aspect of its significance, to be absorbed into the wider range of Romanising influences in the Greek East, a mutual interaction which was to give birth to the “Roman” Empire ruled from Constantinople. Whether taxation privileges were maintained is obscure, as is the real significance and real applicability of *ius Italicum*, as a right conferring on the possession of land in the provinces the status of full ownership in Roman law. Any discussion of this right ought at least to start from the fact that one of the two fullest accounts of its distribution (both very brief) comes from Domitius Ulpianus, a native of a pseudo-*colonia*, Tyre, of the Severan period, and the other from his contemporary Paulus. That in itself is a puzzle, for if there is one item of social and cultural history which stands out from this survey of the *coloniae*, it is that it was primarily

the earliest of them, Berytus, with Heliopolis as part of its territory, later turned into an independent *colonia*, which created a real and enduring island of *Romanitas* and of the use of Latin in the Near East. (But recently published inscriptions show that the same was true of Caesarea, at any rate until the end of the third century.) It was a function of that “Roman” character that Berytus gave birth to law schools (not a law school) which continued to attract students until the Byzantine period. It was the city as a whole which fostered the study of Roman law. Thus Eunapius (VS 490) describes Anatolius, a native of the place who rose to the praetorian prefecture in the 350s, as “rising to the summit of what is called legal learning, as having as his native city Berytus, which is regarded as the mother of such studies.”

Even Berytus, however, founded in and absorbing an existing Graeco-Phoenician city, had from the beginning minted coins like a Greek city; in continuing to do so it expressed its identity as a city in a way unlike all except one of the Roman *coloniae* of the Latin-speaking part of the Empire (see n. 4 above). The evidence, however scattered and inadequate, shows that the later *coloniae*, which nearly all minted coins, might do so either in Latin or in Greek. It shows equally clearly

that *colonia*, or *κολωνία*, competed as a status designation with the specifically Greek term *metropolis*.

Thus to all appearances—and appearances are all that the evidence allows us to grasp—the *coloniae* of this region, Berytus apart, were gradually reabsorbed into their environment, as Greek cities among others, with only the structure of their magistracies, and occasional

reappearances of the word *κολωνία* in their formal titulature to single them out. For Jerome, recording Paula’s pilgrimage to the Holy Land in the 380s, of all the cities (Tyre, Sidon, Caesarea, Aelia itself) which were or had been *coloniae*, only Berytus still earned the title *Romana colonia* (*Ep.* 108, 8). Very little, so far as we know, remained of that brief but very distinctive phase, occupying roughly the first half of the third century, which momentarily gave a very precise meaning to the notion of “Graeco-Roman” civilisation as represented by cities, and also saw both the largest number of individual city mints (under Septimius Severus for the Greek East as a whole, and under Elagabal for the Syro-Palestinian region) and the greatest overall volume of production of city coinages. But in the third quarter of the century all such minting ceased.²¹⁷ Thereafter our quite extensive evidence for the life of this region and its cities provides no

more than the most slight and erratic evidence to suggest that the status of *colonia* was still remembered. Only Berytus, the earliest and most profoundly Romanised of these colonial foundations, continued to play its historic role as the source of Roman law for the early Byzantine world.

Notes

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1. F. Kornemann, *RE* IV (1901), s.v. “*coloniae*,” cols. 511–88, in col. 560; “Die Geschichte der römischen Kolonisation ist die Geschichte des römischen Staates.”

2. For a sketch of some of the issues, see F. Millar, “Empire, Community and Culture in the Roman Near East: Greeks, Syrians, Jews and Arabs,” *Journal of Jewish Studies* 38 (1987): 143; see also F. Millar, *The Roman Near East* (1993).

3. This formulation presupposes the validity of a particular view of the earlier history and status of Heliopolis, discussed more fully below.

4. The *coloniae* of Spain, Africa, and Gaul ceased to mint, as did other towns in these regions, in the Julio-Claudian period. The one remarkable exception to the rule that *coloniae* in the Latin-speaking provinces did not mint after the mid-first century is provided by Viminacium, which minted between the reigns of Gordian and Gallienus.

5. L. Moretti, *Iscrizioni agonistiche greche* (1953), no. 72.

6. For Greek, see H. J. Mason, *Greek Terms for Roman Institutions: A Lexicon and Analysis* (1974), 62 and 108–10. For Semitic inscriptions, see M. G. Angeli Bertinelli, *Nomenclatura pubblica e sacra di Roma nelle*

epigrafi semitiche (1970), 108 (*colonia, colonus*); 117–18 (*duumvir, duumviratus*). In the latter case the relevant transliterated forms are all borrowed from the Greek equivalents. See, for comparative material, S. Krauss, *Griechische und lateinische Lehnwörter im Talmud, Midrasch und Targumim* (1898–99), and A. Schall, *Studien über griechische Fremdwörter im Syrischen* (1960). For QLNŸ', see M. Jastrow, *A Dictionary of the Targumim* (repr. 1950), 1379. For linguistic interplay, note also M. G. Angeli Bertinelli, "I Semiti e Roma: appunti di una lettura di fonti semitiche," *Serta Historica Antiqua* I (1986), 145. Martin Goodman drew my attention to further uses of *colonia* as a loan-word in the Babylonian Talmud: *Sukkah* 45a; *Yebamoth* 115b; *Baba Bathra* 4a. QLNŸ' unfortunately does not find a place in D. Sperber, *A Dictionary of Latin and Greek Legal Terms in Rabbinic Literature* (1984).

7. C. Clermont-Ganneau, *Répertoire d'épigraphie semitique* II, no. 1054 = CIS II 4401; (Greek) IGR III 1035 = OGIS 588. See M. A. R. Colledge, *The Art of Palmyra* (1970), 225 and pl. 144.

8. See the useful presentation of these coinages, and their disappearance, by K. Harl, *Civic Coins and Civic Politics in the Roman East, A.D. 180–275* (1987).

9. For this point, see Millar (n. 2), 156. Note, however, the two Palmyrene inscriptions published and discussed by M. Gawlikowski, *Syria* 48 (1971): 412–13, and *Le temple palmyrénien* (1973), 76, nos. 10–11, of which one dates to 272, while its companion (of 273?) seems to refer to Aurelian—[W]RLYNWS QSR. Note also the pair of Greek and Palmyrene inscriptions of A.D. 279/80, M. Gawlikowski, *Ann. Arch. Ar. Syr.* 36–37 (1986–87): 167, no. 8.

10. *Bab. Talmud, Avodah Zara*, 10a. Note that in *Tiberias: From the Foundation to the Moslem Conquest* (1988), 96–97 (Hebrew), Y. Meshorer claims to read COL on coins of the city under Elagabal. I owe this reference to Alla Stein.

11. Among more recent works on this major topic, note F. Vittinghoff, *Römische Kolonisation und Bürgerrechtspolitik unter Caesar und Augustus* (1952); B. M. Levick, *Roman Colonies in Southern Asia Minor* (1967); P. A. Brunt, *Italian Manpower, 225 B.C.–A.D. 14* (1971), chap. 15 and app. 15; L. J. F. Keppie, *Colonisation and Veteran Settlement in Italy, 47–14 B.C.* (1983); J. C. Mann, *Roman Colonisation and Veteran Settlement during the Principate* (1983).

12. For the history of the city, see R. Mouterde and J. Lauffray, *Beyrouth ville romaine: histoire et monuments* (1952); R. Mouterde,

“Regards sur Beyrouth phénicienne, hellénistique et romaine,” *Mél. Univ. St. Joseph* 40 (1964): 145; N. Jidejian, *Beirut through the Ages* (1973); J. Lauffray, “Beyrouth Archéologie et Histoire, époques gréco-romaines I. Période hellénistique et Haut-Empire romain,” *ANRW* II.8 (1977), 135. For Berytus as a *colonia*, see B. Isaac, *The Limits of Empire: The Roman Army in the East* (1990), 318–21, a study to which this paper owes much.

13. *Geog.* 16, 2, 19 (756), Loeb trans.

14. For the details, see Schürer, Vermes, and Millar, *History* I (1973), 287–89.

15. For an excellent survey of the history of the region, to which what follows owes much, see J.-P. Rey-Coquais, “Syrie romaine, de Pompée à Dioclétien,” *JRS* 68 (1978): 44.

16. R. Helm, *Die Chronik des Hieronymus* (1956), 166: *Coloniae Berytum (sic) et Patras deductae. Bosforum Agrippa capit.*

17. See J.-M. Roddaz, “Marcus Agrippa,” *BEFAR* 253 (1984): 431–33, depending, however, on a combination of Strabo 8, 7, 5 (387), referring to a settlement of legionaries subsequent to Actium, and Pausanias 7, 18, 7, describing the establishment of a new *colonia* with a civilian population from the surrounding region. No certain chronological sequence can be deduced. For arguments for an early date for the settlement of at least some veterans in each place, see J. G. P. Best, “Colonia Iulia Equestris and Legio Decima Equestris,” *Talanta* 3 (1971): 1.

18. G. F. Hill, *BMC Phoenicia* (1910), lv. f., e.g., no. 51 and pl. VIII.10. See R. Mouterde, *MUSJ* 40 (1964): 145, on 164–65.

19. Josephus, *BJ* 1, 408–16; *Ant.* 15, 331–41. On Caesarea, see below.

20. Josephus, *BJ* 1, 422. Loeb trans. Not repeated in *Ant.*

21. *BJ* 7, 39:

ἡ δ' ἐστὶν ἐν τῇ Φοινίκῃ πόλις Ῥωμαίων ἀποικος.

22. For the literary and archaeological evidence for Roman Berytus, see, above all, Mouterde and Lauffray (n. 12).

23. See, e.g., F. Millar, “Introduction: The Greek World and Rome,” in S. Macready and F. H. Thompson, *Roman Architecture in the Greek East* (1987). Hazel Dodge, however, pointed out to me that recent discoveries had revealed more amphitheatres than previously known.

24. Josephus, *Ant.* 19, 335–37.
25. See L. Robert, *Les gladiateurs dans l'Orient grec* (1940; repr. 1971), 31–32.
26. Josephus, *Ant.* 20, 211–12:
καὶ τὴν πᾶσαν δὲ πόλιν ἀνδριάντων ἀναθέσειν καὶ ταῖς
τῶν ἀρχαίων ἀποτύποις εἰκόσιν ἐκόσμηι .
27. Josephus, *BJ* 1, 414.
28. *AE* 1976, 678.
29. For the *coloniae* in Pisidia, see Levick (n. 11), chaps. 11–12; for Corinth, see *Corinth* VIII.3: *The Inscriptions, 1926–1950* (1966), 18–19.
30. *ILS* 1234.
31. See, e.g., *Bull. Mus. Beyrouth* 7 (1944–45): 60, no. 2 = *AE* 1950, 230, a dedication to Iulia Domna.
32. See R. Cagnat, “M. Sentius Proculus de Beyrouth,” *Syria* 7 (1926): 67; *AE* 1926, 150; H. Devijver, *Pros. milit. Equestr.* II, S. 25.
33. *CIL* IV 160, subsequently re-published; see R. Mouterde, “Monuments et inscriptions de Syrie et du Liban 1. L'emplacement du Forum de Béryte,” *MUSJ* 25 (1942–43): 23, whence the following identifications are derived.
34. See M. Torelli, *Typology and Structure of Roman Historical Reliefs* (1982), 102; F. Coarelli, *Il Foro romano II: Periodo repubblicano e augusteo* (1985), 36–37.
35. For Marsyas on coins of Berytus, see *BMC Phoenicia*, 56–57. See P. Veyne, “Le Marsyas ‘colonial’ et l'indépendance des cités,” *Rev. Phil.* 35 (1961): 87. Cf. F. W. Klimowsky, “The Origin and Meaning of Marsyas in the Greek Imperial Coinage,” *Isr. Num. Journ.* 6–7 (1982–83): 88; and for a reassertion of an original connection with colonial foundations, Torelli (n. 34), 91–92. For *ius Italicum*, note also M. Malavolta s.v. in *Diz. Epig.* IV, fasc. 73–74 (1985), 2333–39.
36. *Syria* 5 (1924): 109, nos. 3–4 = *AE* 1924, 137–38.
37. *Syria* 20 (1939): 315 = *AE* 1940, 171.
38. See F. Coarelli, *Il Foro Boario dalle origini alla fine della Repubblica* (1988), chap. 3.
39. For the site and the temple, see D. Krencker and W. Zschietzschmann, *Römische Tempel in Syrien* I (1938), 1–3, with vol. II, 11.7 (map) and 2.
40. Suetonius, *de gram.* 24.

41. From Heliopolis and its vicinity, e.g., *IGLS* VI 2781 (L. Antonius Naso, career beginning with centurionate); *IGLS* VI 2786/7 (L. Gerellanus Fronto, *primuspilus*); *IGLS* VI 2796 (C. Velius Rufus). Common soldiers: *ILS* 2483 (Coptos); *AE* 1929, 20; 1934, 267 (both Carnuntum); 1940, 84 (Rome). Another is attested in the military documents from Masada, published by H. M. Cotton and J. Geiger, *Masada II: The Latin and Greek Documents* (1989), no. 722, to whose commentary I owe these references.

42. H. Crouzel, *Grégoire le Thaumaturge remerciement à Origène* (Sources Chrétiennes 148, 1969), 5/62:

ἡ τῶν Βηρυτίων πόλις ἡ δὲ οὐ μακρὰν ἀπέχουσα τῶν ἐνταῦθα
[Syria Palaestina]

πόλις Ῥωμαϊκωτέρα πως, καὶ τῶν νόμων τούτων εἶναι πιστευθεῖσα παιδευτήριον

43. *SEG* XXVI, 1456, with references to the literature.

44. For the later history, see P. Collinet, *Histoire de l'école de droit de Béryte* (1925).

45. *CAH* XI¹ (1936), 626, quoted by Vittinghoff (n. 11), 134.

46. *BMC Phoenicia*, lxvi–ixi. A dolphin-and-trident type had, however, appeared under Augustus (no. 47).

47. Suda, ed. Adler II, 414, s.v.
Ἑρμῆπιος, Βηρύτιος, ἀπὸ κώμης μεσογαίου.

48. Le Bas-Waddington, no. 1855 = *CIG* III 4536 = *IGR* III 1078:
κοίρανε κώμων

49. See, e.g., Le Bas-Waddington, no. 1856 = *CIL* III 155: *Iovi Balmarcodi*; 1857 = *IGR* III 1082: *θεῷ Βαλμαρκῶδι*; *OGIS* 589 = *IGR* III 1081; Clermont-Ganneau, *Rec. Arch. Or.* 1 (1888): 94 and 103–4, nos. 2–18.

50. W. Henzen, *ILS* III, no. 5617, reprinted along with *CIL* III 155.

51. Le Bas-Waddington, no. 1858 = *CIL* III 158; *OGIS* 590 = *IGR* III 1079; Clermont-Ganneau (n. 49), 112, no. 12.

52. *ILS* 300.

53. See A. H. M. Jones, *Cities of the Eastern Roman Provinces*² (1971), 287–88 and n. 85; cf. J.-P. Rey-Coquais, *IGLS* VI: *Baalbek et Beqaf* (1967), 34–35; *JRS* 68 (1978): 52.

54. *Dig.* 50, 15, 1, 2.

55. E.g., *IGLS* VI 2937, a dedication to Antoninus Pius by the

colon[i s]plendidissimae [col(oniae)]; 2793–94, probably of the second century; 2759, King Agrippa (I or II), *patrono col.*; 2760, C. Iulius Sohaemus, *patrono coloniae*; also 2795. Note also 2942 from Niha: Q. Vesius Patilianus, *flamen au[g.], dec. Ber., quaestor col(onorum?) col(oniae?)*.

56. IGLS VI 2791.

57. IGLS VI 2936; Rey-Coquais, *JRS* 68 (1978): 52. For Niha, see the important study by Rey-Coquais, “Des montagnes au désert: Baetocécé, le pagus Augustus de Niha, la Ghouta à l’est de Damas,” in E. Frézouls, ed., *Sociétés urbaines, sociétés rurales dans l’Asie Mineure et la Syrie hellénistiques et romaines* (1987), 198–207, emphasising the contrast with Heliopolis itself.

58. IGLS VI, 35 and 40.

59. IGLS VI 37–38. For the architectural remains, see T. Wiegand, *Baalbek I–III* (1921–25); cf. M. Lyttelton, *Baroque Architecture in Classical Antiquity* (1974), chaps. 6–8, and F. Ragette, *Baalbek* (1980).

60. F. Millar, “The Problem of Hellenistic Syria,” in A. Kuhrt and S. Sherwin-White, eds., *Hellenism and the East* (1987), 110 (= chapter 1 of the present volume).

61. Y. Hajjar, *La triade d’Héliopolis-Baalbek* I–II (1977); III (1985). The quotation is from vol. II, 511–12.

62. Hajjar (n. 61), I, no. 1 = IGLS VI, 2990.

63. See IGLS VI, index v.

64. Hajjar (n. 61), I, 223–24, nos. 196–97.

65. Hajjar (n. 61), I, 221, no. 195.

66. Hajjar (n. 61), I, 227–28, nos. 199–207, 216, 218.

67. Hajjar (n. 61), I, nos. 212–14.

68. Hajjar (n. 61), I, no. 211.

69. For the cult beyond its native areas, whose ramifications cannot be followed here, see Hajjar (n. 61), I, 188–220, 261–416.

70. Hajjar (n. 61), I, 318, no. 268 (Athens); 341, no. 281 (Zellhausen, Germania Superior), a dedication by a *praefectus cohortis* from Berytus (the only examples).

71. *Expositio totius mundi et gentium* 25 (*Sources Chrétiennes* 124, ed. J. Rougé [1966], 158).

72. B. Isaac, “Roman Colonies in Judaea: The Foundation of Aelia Capitolina,” *Talanta* 12–13 (1980–81): 31 (reprinted with revisions in

B. Isaac, *The Near East under Roman Rule, Selected Papers* [1998]).

73. Plin., *Nat. Hist.* 5, 75: *Colonia Claudii Caesaris Ptolemais, quae quondam Acce.*

74. P. Thomsen, "Die römischen Meilensteine der Provinzen Syria, Arabia und Palaestina," *ZDPV* 40 (1917): 1, on 18, no. 9, a2 (from the Nahr el-Ghadir, south of Beirut): [*Nero Cl*]audius [*Caesar Au*]g(ustus) Germanicus [*trib. potest.*] bis, cos. [*designa*]tus iterum [*viam?*] ab Antiochea [*munivit? ad n*]ovam colon[ia]m [*Ptolemaid*]a. . . . See R. G. Goodchild, "The Coast Road of Phoenicia and Its Roman Milestones," *Berytus* 9 (1988–89): 91 and pl. xx.

75. For the evidence, see Schürer, Vermes, and Millar, *History* II, 121–25; cf. N. Kashtan, "Akko-Ptolemais: A Maritime Metropolis in Hellenistic and Early Roman Times, 332 B.C.E.–70 C.E., as Seen through the Literary Sources," *Med. Hist. Rev.* 3 (1988): 37.

76. See L. Kadman, *The Coinage of Akko-Ptolemais* (1961); see, for revisions of Kadman's views, H. Seyrig, "Le monnayage de Ptolmais en Phénicie," *RN* 4 (1962): 29 = *Scripta Numismatica* (1986), 261; "Deux émissions coloniales incertaines," *RN* 11 (1969): 47, who discusses, on p. 158, the legend COL. C(onstans?) ST PTOL, found on some examples. I owe to Alla Stein the information that the Greek coinage of Ptolemais terminates by A.D. 51/2, rather than 52/3 as Kadman states.

77. M. Avi-Yonah, "Newly-Discovered Latin and Greek Inscriptions," *QDAP* 12 (1946): 84, 85, no. 2 = *AE* 1948, 142.

78. Avi-Yonah (n. 77), 86, no. 3 = *AE* 1948, 143. J. Meyer, "A Centurial Stone from Shavei Tziyyon," *Scripta Classica Israelica* 7 (1983–84): 119, publishes what may be a centuriation *cippus* from the territory of Akko. Note also the very full and suggestive study by Sh. Applebaum, "The Roman Colony of Ptolemais—'Ake and Its Territory," in his *Judaea in Hellenistic and Roman Times: Historical and Archaeological Essays* (1989), 711.

79. Seyrig (n. 76), 43–44. Dr. C. J. Howgego kindly tells me that the numerals III, VI, X?, and XI(+) can be read.

80. Josephus, *BJ* 2, 477.

81. Isaac (n. 72), 37.

82. Josephus, *BJ* 2, 67; *Ant.* 17, 287.

83. For this view, see F. T. Hinrichs, *Die Geschichte der gromatischen Institutionen* (1974), 147–48. Compare, however, J. Bleicken, "In provinciali solo dominium populi Romani est vel Caesaris. Zur

Kolonisationspolitik der ausgehenden Republik und frühen Kaiserzeit,” *Chiron* 4 (1974): 359, attributing the concept of *ius Italicum* to Augustus.

84. See L. Kadman, *The Coins of Caesarea Maritima* (1957).

85. *BJ* 4, 588–604; see Isaac (n. 72), 38–44.

86. M. Avi-Yonah, “Mount Carmel and the God of Baalbek,” *IEJ* 2 (1952): 118 = *AE* 1952, 206 = *SEG* XIV 832 = Hajjar (n. 61), I, no. 227, and pl. lxxxvi.

87. *AE* 1964, 188 = M. L. Lehmann and K. G. Holum, *The Greek and Latin Inscriptions of Caesarea Maritima* (2000), no. 44. [*Coloniae*] *Primae Fl. Aug. [Caesareae] / . . [Cleo]patra mater eius hoc f(ieri) i(ussit)*; but see the better reading by Werner Eck cited there: [*?Ex testamento—Ilviral(is) (?) col.] Primae Fl(aviae) Aug(ustae) / [Caesareae —/?—Cleo]patra mater eius her(es) [facere iussit?]*.

88. *AE* 1987, 960a = Lehmann and Holum (n. 87), no. 8.

89. *AE* 1985, 830a = W. Eck, *ZPE* 113 (1996): 129ff. = Lehmann and Holum (n. 87), no. 10.

90. *AE* 1985, 830b = Lehmann and Holum (n. 87), no. 11. See now H. M. Cotton and W. Eck, “A New Inscription from Caesarea Maritima and the Local Elite of Caesarea Maritima,” in L. Rutgers, ed., *What Athens Has to Do with Jerusalem. Festschrift for Gideon Foerster* (2002), 371–87, which discusses the use of Latin by members of the ruling families of Caesarea.

91. For a useful sketch of the evidence, see A. Kindler, “The Status of Cities in the Syro-Palestinian Area as Reflected in Their Coins,” *Israel Numismatic Journal* 6–7 (1982–83): 76.

92. See, e.g., F. Millar, *The Emperor in the Roman World* (1977), 409. No detailed study of the use of the term is known to me.

93. Kadman (n. 84), 102–51.

94. *Jerusalem Talmud, Sotah* 7, 1, 21a.

95. For the basic evidence, see Schürer, Vermes, and Millar, *History* I, 534–35.

96. Dio 69, 12, 1–2. If he meant by saying
*καὶ εἰς τὸν τοῦ ναοῦ τοῦ θεοῦ τόπον ναὸν
τῷ Διὶ ἑτερον ἀντεγείραντος* that the temple of Juppiter
literally stood on the site of the Temple, he was wrong.

97. Zonaras 11, 23C; Malalas, *Chron.* 279.

98. *Chron. Pasch.* 1, 474; Malalas, *Chron.* 279. Note the translation by E. Jeffreys, M. Jeffreys, and R. Scott (1986).

99. For a general account, see N. Avigad, *Discovering Jerusalem* (1984), 205–6. See also H. Geva, “The Camp of the Tenth Legion at Jerusalem: An Archaeological Reconstruction,” *IEJ* 34 (1984): 239; R. Reich, “Four Notes on Jerusalem,” *IEJ* 37 (1987): 188, on 164–65.

100. Justin, 1 *Apol.* 47, 6; Eusebius, *HE* 4, 6, 4, quoting Ariston of Pella.

101. For these points, see Isaac (n. 72), 46–47.

102. See M. Zahrnt, “Vermeintliche Kolonien des Kaisers Hadrian,” *ZPE* 71 (1988): 229.

103. *CIL* III, 117 = 6649 = *OGIS* 600; cf. *IGR* III 1385 and Thomsen (n. 74), 74–75.

104. E. D. Hunt, *Holy Land Pilgrimage in the Later Roman Empire, A.D. 312–460* (1982), 2.

105. See L. Kadman, *The Coins of Aelia Capitolina* (1956).

106. *AE* 1984, 914 = *AE* 1997, 1562; cf. H. M. Cotton and W. Eck, “Ein Ehrenbogen für Septimius Severus und seine Familie in Jerusalem,” in E. Dabrowa, ed., *Donum Amicitiae. Studies in Ancient History Offered by Friends and Colleagues on the Occasion of the Anniversary of the Foundation of Ancient History in the Jagiellonian University of Kraków* 1997, 11–20.

107. Alluded to in various semi-popular reports, e.g., B. Mazar, *The Mountain of the Lord* (1975), 235 (ascribed to Hadrian), 237, 239. A different impression, both of the location and of the reading of the inscription, is given by N. Avigad, *Discovering Jerusalem* (1984), 206.

108. R. W. Hamilton, “Excavations against the N. Wall, Jerusalem,” *QDAP* 11 (1944): on 22–23. For yet another impressionistic report of the area, see M. Magen, “Recovering Roman Jerusalem: The Excavations beneath the Damascus Gate,” *Bibl. Arch. Rev.* 15 (1988): 48. For a survey of the known Greek and Latin inscriptions, of all periods, from Jerusalem, see P. Thomsen, *Die griechischen und lateinischen Inschriften der Stadt Jerusalem* (1922), with a Supplement in *ZDPV* 64 (1941): 203. For some updates, see B. Issac, “Inscriptions from Jerusalem after the First Revolt” and “Epigraphic Remains from the Byzantine Period,” in Y. Tsafrir and S. Safrai, eds., *The History of Jerusalem: The Roman and Byzantine Periods (70–638 CE)* (1999), 167–79, 383–389 (in Hebrew).

109. *Peregrinatio Egeriae* 47, 3–4; see P. Maraval, “Égérie, journal de

voyage" (*Sources Chrétiennes* 296, 1982).

110. For these processes, see R. Ziegler, "Antiochia, Laodicea und Sidon in der Politik der Severer," *Chiron* 8 (1978): 493.

111. *Sifre Deut.* 26, 40, in the edition by L. Finkelstein (1939; repr. 1969). I owed the reference to M. Goodman, *State and Society in Roman Galilee, A.D. 132–212* (1983), 140, who duly observes (in his n. 101) the relevance of this to the civil war period.

112. Herodian 3, 3, 3–5. See Ziegler (n. 110), 474–75.

113. Malalas 293–94.

114. *Dig.* 50, 15, 1, 3. Cf. 50, 15, 8, 3 (Paulus).

115. H. Seyrig, "Un poids de Laodicée," *Syria* 40 (1963): 30:
ἐτους θ' τῆς κολωνίας
γί τῆς μητροπολιτείας, τ[οῦ] καὶ γυν' . The latter
figure, 253, establishes the date 205/6. Cf. the weight listed by H.
Seyrig, *Bull. Mus. Beyrouth* 8 (1949): 64, no. 38:
ἐτους δι' τῆς κολωνείας (hence A.D. 210/11).

116. *IGR* III 1012 = *IGLS* IV 1265 = Moretti, *Iscrizioni agonistiche greche*, no. 85.

117. *SNG, Danish National Museum: Syria*, no. 366. It is curious that some of these colonial coins in Latin, as well as earlier Greek issues of the city, were counter-marked COL. See C. J. Howgego, *Greek Imperial Countermarks* (1985), no. 586.

118. *BMC Syria*, 258–63.

119. Eusebius, *VC* 4, 38–39; Sozomenus, *HE* 5, 3, 6–8.

120. *BMC Syria*, 290–95.

121. L. Okamura, "Western Legions in Baalbek, Lebanon: Colonial Coins (A.D. 244–247) of the Philippi," *Historia* 37 (1988): 126. I owe to Dr. C. J. Howgego the information that the standards form part of a representation of what appears to be a group of cult statues, two of which are holding the standards.

122. Published by Ch. Ghadban, "Les frontières du territoire d'Héliopolis-Baalbek à la lumière de nouveaux documents," in *La géographie administrative et politique d'Alexandre à Mahomet* (1982), 143, on 151 and 160 (Khirbet Choukan near the Orontes).

123. *ILS* 4287 = Hajjar (n. 61) I, no. 290, and II, pl. cxii.

124. *ILS* 9005.

125. *IGLS* VI 2935.

126. Dig. 50, 15, 1, pr; cf. 50, 15, 8, 4 (Paulus): *Eiusdem iuris et Tyriorum civitas a divis Severo et Antonino facta est*.

127. So *BMC Phoenicia*, cxxv and 269–96, followed, e.g., by H. Ingholt, *Varia Tadmorea*, in *Palmyre: bilan et perspectives* (1976), 101, on 122, and K. Harl (n. 8), 68. Alla Stein pointed out to me that under Elagabal coins of Laodicea sometimes show ΛΑΟ  ΙΚΕΩΝ or LAUDICEON, *BMC Syria*, 261–62.

128. For the background, see the very good account by A. R. Birley, *The African Emperor, Septimius Severus* (1988), chaps. 1–3.

129. *IRT* 437.

130. For what follows, see F. Millar, “The Phoenician Cities: A Case-Study of Hellenisation,” *Proc. Camb. Philol. Soc.* 209 (1983): 55, esp. 66–67 (= chapter 2 of the present volume). For more dedications from Tyre, in Latin and Greek, see J.-P. Rey-Coquais, “Une double dédicace de Lepcis Magna à Tyr,” in A. Mastino, ed., *L’Africa Romana IV* (1986), 597.

131. For the Roman arch of Tyre, see M. Chéhab, “Fouilles de Tyr. La nécropole I: l’arc de triomphe,” *Bull. Mus. Beyrouth* 33 (1983); for the inscription, 125–26, and pls. xiv–xv; cf. *AE* 1988, 1051. See now M. Christol, “Entre la cité et l’empereur: Ulpien, Tyr et les empereurs de la dynastie sévérienne,” in F. Chausson and É. Wolff, eds., *Consuetudinis Amor: Fragments d’histoire romaine (II²–VI^e siècles) offerts à Jean-Pierre Callu* (2003), 163.

132. For the inscription, see M. Chéhab, “Tyr a l’époque romaine,” *Mél. Univ. St. Joseph* 38 (1962): 11, on 19–20. For Septimius Odenathus, see M. Gawlikowski, “Les princes de Palmyre,” *Syria* 62 (1985): 251.

133. *Acta Conc. Chalcedon. 10. Concilium Universale Chalcedonense I*, 1, ed. E. Schwartz (1933), 373.

134. I would have argued that the fact that Eusebius describes his Greek text of the letter of Maximinus to Tyre as a translation from the Latin (*HE* 9, 10, 7–11) is evidence for the public use of Latin there in A.D. 312, but for the publication by S. Mitchell, “Maximinus and the Christians in A.D. 312: A New Latin Inscription,” *JRS* 78 (1988): 105, of a partial text of the same proclamation, in Latin and addressed to the Colbassenses in the province of Lycia and Pamphylia. The use of Latin is therefore not, in this context, distinctive of colonial status.

135. J. W. Crowfoot, K. M. Kenyon, and E. L. Sukenik, *The Buildings at Samaria* (1942), 35–36.

136. G. A. Reisner, C. G. Fisher, and D. G. Lyon, *Harvard Excavations at Samaria, 1908–1910* (1924), 250, no. 7, and pl. 59c: [στρα]τηγούντων Ἀννίου Πο[ύφου . . .]. See Crowfoot et al. (n. 135), 36, no. 1.

137. *BMC Palestine*, 39–40, 80–81.

138. For this region, see L. Dilleman, *Haute-Mésopotamie orientale et pays adjacents* (1962); N. Pigulevskaja, *Les villes de l'état iranien aux époques parthe et sassanide* (1963); D. Oates, *Studies in the Ancient History of Northern Iraq* (1968).

139. Dio 75, 3, 2; 36, 6, 2. See Pigulevskaja (n. 138), 49–59, and for its later history as a Roman *colonia*, C. S. Lightfoot, “Facts and Fictions: The Third Siege of Nisibis,” *Historia* 37 (1988): 105.

140. *BMC Mesopotamia*, cviii–ix, 119–24.

141. D. Feissel and J. Gascoü, “Documents d’archives romains inédits du Moyen Euphrate (III^e siècle après J.-C.) III. Actes divers et lettres (P. *Euphr.* 11 à 17),” *Journal des Savants* 2000: 157–208, no. 17.

142. Carrhae/Harran: see G. F. Hill, *JRS* 6 (1916): 150–55; *BMC Mesopotamia*, lxxxvii–xciv; W. Cramer, “Harran,” *RAC* (1985), cols. 634–35. (a) ΚΟΛΩΝΙΑΣ ΜΗ ΚΑΡΩΝ (Septimius Severus); (b) COL MET ANTONINIANA AUR and COL AUR METROPOLI ANTONI (Caracalla); (c) ΜΗΤΡ ΚΟΛ ΚΑΡΡΗΝΩΝ (Gordian III). Reshaina: K.-O. Castelin, “The Coinage of Rhesaena in Mesopotamia,” *Num. Notes and Monog.* 108 (1946): ΣΕΠ ΚΟΛ ΠΗΣΑΙΝΗΣΙΩΝ (Decius). Singara: Hill, *JRS* 6 (1916): 167; *BMC Mesopotamia*, cxiii; 134–36: ΑΥΡ ΣΕΠ ΚΟΛ ΣΙΝΤΑΡΑ.

143. One modern map which does show this impact, though not completely, is map 27 in N. G. L. Hammond, *Atlas of the Greek and Roman World in Antiquity* (1981).

144. See the remarkable article by D. van Berchem, “Le port de Séleucie de Piérie et l’infrastructure logistique des guerres parthiques,” *Bonner Jahrb.* 185 (1985): 47.

145. *AE* 1972, 626–28. See H. Halfmann, *Itinera Principum* (1986), 81.

146. See J.-C. Balty, *Apamée* (1986); “Nouvelles données sur l’armée romaine d’Orient et les raids sassanides du milieu du III^e siècle,” *CRAI* (1987): 213, and “Apamea in Syria in the Second and Third Centuries A.D.,” *JRS* 78 (1988): 91.

147. *Dig.* 1, 5, 17. See T. Honoré, *Ulpian* (1982), and the review

article by F. Millar, "A New Approach to the Roman Jurists," *JRS* 76 (1986): 272–80 (= chapter 19 in F. Millar, *Rome, the Greek World, and the East II: Government, Society, and Culture in the Roman Empire*).

148. *Dig.* 50, 15, 1, 4 (Ulpian); cf. 50, 15, 8, 6 (Paulus): *Imperator noster Antoninus civitatem Emisenorum coloniam et iuris Italici fecit*.

149. See *IGLS* V: *Émésène* (1959). For the new inscription, see Ghadban (n. 122), 161.

150. *BMC Syria*, 237–41. For the relevant legends under Uranius Antoninus in A.D. 253, see H. R. Baldus, *Uranius Antoninus: Münzprägung und Geschichte* (1971), 67–68.

151. See, e.g., Libanius, *Ep.* 846; cf. H. Seyrig, "Caractères de l'histoire d'Émèse," *Syria* 36 (1959): 184.

152. *BMC Syria*, lviii–lxiii, 151–232. See also G. Downey, "The Political Status of Roman Antioch," *Berytus* 6 (1939–40): 1, and K. Butcher, "The Colonial Coinage of Antioch-on-the-Orontes c. A.D. 218–53," *Num. Chron.* 148 (1988): 63, curiously giving relatively little attention to the colonial bronze coins as such, as opposed to imperial coins minted there.

153. J. H. W. C. Liebeschuetz, *Antioch: City and Imperial Administration in the Later Roman Empire* (1972), contains no allusion to colonial status.

154. Libanius, *Or.* 1, 3, trans. A. F. Norman (1965).

155. D. Feissel and J. Gascou, "Documents d'archives romains inédits du Moyen Euphrate (III^e siècle après J.-C.) I. Les pétitions (*P.Euphr.* 1 à 5)," *Journal des Savants* (1995): 65–119.

156. See D. Schlumberger, *La Palmyrène du Nord-Ouest* (1951), and H. Seyrig, "Bornes frontières de la Palmyrène," *Syria* 20 (1939): 43.

157. M. Gawlikowski, "Palmyre et l'Euphrate," *Syria* 60 (1983): 53. Note the excellent map on 54.

158. For the tax law, see *CIS* II, 3, 3913. Note also J. Teixidor, "Le tarif de Palmyre I. Un commentaire de la version palmyrénienne," *Aula Orientalis* 1 (1983): 235, and J. F. Matthews, "The Tax Law of Palmyra: Evidence for Economic History in a City of the Roman East," *JRS* 74 (1984): 157. For a discussion of the officials appearing in the tax law, see J. Teixidor, *Un port romain du désert: Palmyre* (1984), 59–60. Cf. also M. Zahrnt, "Zum Fiskalgesetz von Palmyra und zur Geschichte der Stadt in hadrianischer Zeit," *ZPE* 62 (1986): 279.

159. For this see D. Schlumberger, "Les gentilices romains des

Palmyréniens,” *Bull. d’Ét. Or.* 9 (1942–43): 53, the latest detailed tabulation of the evidence; the article is also essential for the points which follow. Note also J. K. Stark, *Personal Names in Palmyrene Inscriptions* (1971).

160. (a) *CIS* II, 3, 3971: *mil. xiv col. Pal.*; (b) A. Poidebard, *La trace de Rome dans le désert de Syrie* (1934), 200: *D. N. Imp. Caes. G. Val. Diocletiano p. 1. (?) Invicto Aug. Col. Palm. mil. XXVIII.*

161. *IGR* III 1046 = J. Cantineau, *Inventaire des Inscriptions de Palmyre* III (1930), no. 5.

162. *IGR* III 1033 = *OGIS* 640 = *CIS* II.3, 3932 = *Inventaire* III, no. 22.

163. *IGR* III 1047 = *CIS* II.3, 3934 = *Inventaire* III, no. 14.

164. So Schlumberger (n. 159), 59–60.

165. *IGR* III 1036 = *OGIS* 644 = *CIS* II.3, 3937 = *Inventaire* III, no. 12. For his identity, see Schlumberger (n. 159), 60.

166. *IGR* III 1040 = *CIS* II.3, 3939 = *Inventaire* III, no. 10.

167. *IGR* III 1045 = *CIS* II.3, 3942 = *Inventaire* III, no. 7.

168. *IGR* III 1044 = *CIS* II.3, 3940 = *Inventaire* III, no. 9:

ἐπίτροπον Σεβαστοῦ δοικηνάριον καὶ ἀργαπέτην

Τ
/ 'PTRP' DQNR' W'RGB T '. Cf. *IGR* III 1042 = *CIS* II.3, 3941 = *Inventaire* III, no. 8 (A.D. 265); and *OGIS* 645 = *IGR* III 1043 = *CIS* II.3, 3943 = *Inventaire* III, no. 6 (A.D. 267).

169. *IGR* III 1032 = *Inventaire* III, no. 3. For restorations, see D. Schlumberger, “L’inscription d’Hérodien: remarques sur l’histoire des Princes de Palmyre,” *Bull. d’Ét. Or.* 9 (1942–43): 35, and M. Gawlikowski, “Les princes de Palmyre,” *Syria* 62 (1985): 251, on 255, no. 10.

170. For a survey, see W. Szaivert, “Die Münzen von Palmyra,” in M. Ruprechtsberger, ed., *Palmyra, Geschichte, Kunst und Kultur der syrischen Oasenstadt* (1987), 244.

171. See F. Millar (n. 2), 156.

172. For a brief sketch, see F. Millar (n. 2), 159–62.

173. Text and translation by R. Hallier, “Untersuchungen über die edessenische Chronik,” *Texte und Untersuchungen* IX (1892), 84–85 (trans.), 145–46 (text). The text is also reprinted in F. Rosenthal, ed., *An Aramaic Handbook* II.1 (1967), 23–25. English translation by J. Segal, *Edessa: “The Blessed City”* (1970), 24–25.

174. P. Dura 28; revised text by J. Goldstein, "The Syriac Bill of Sale from Dura-Europos," *JNES* 25 (1906): 1, text also in Rosenthal (n. 173), 25–27 (Syriac only), and in H. J. W. Drijvers, *Old-Syriac (Edesseean) Inscriptions* (1972), 54–57. Now reprinted, along with the two new Syriac parchments of the same period from the Euphrates archive (see n. 181 below), as P1 in H. J. W. Drijvers and J. F. Healey, *The Old-Syriac Inscriptions of Edessa and Osrhoene* (1999), app. I.

175. Goldstein (n. 174) denies that there is any visible trace of the final τ and ρ .

176. *BMC Mesopotamia*, xciv–cvii, 91–118.

177. See H. Gesche, "Kaiser Gordian mit dem Pfeil in Edessa," *Jahrb. f. Num. u. Geldg.* 19 (1969): 47.

178. A. von Gutschmid, "Untersuchungen über die Geschichte des Königreichs Osroene," *Mémoires de l'Académie Impériale des Sciences de Saint Pétersbourg*, 7th ser., XXXV (1887).

179. J.-B. Chabot, ed., "Incerti Auctoris Chronicon Pseudo-Dionysianum vulgo dictum," *Corpus Scriptorum Orientalium, Scriptores Syri* III.1 I–II (1927–33). For a very useful study of this work, see W. Witakowski, *The Syriac Chronicle of Pseudo-Dionysius of Tel-Mahr* ̒ (1987).

180. J. Teixidor, "Les derniers rois d'Edesse d'après deux nouveaux documents syriaques," *ZPE* 76 (1989): 219. I was extremely grateful to J. Teixidor and D. Feissel for a preliminary text of the archive, and for permission to quote the "colonial" titles which appear there. For my suggested reconstruction and dating of the entries in the Chronicle, see Millar (n. 2), app. 3.

181. J. Teixidor, "Deux documents syriaques du IIIe siècle après J.-C., provenant du Moyen Euphrate," *CRAI* (1990): 147; cf. S. Brock, "Some New Syriac Documents from the Third Century AD," *Aram* 3.1–2 (1991): 259; B. Aggoula, "Studia Aramaica III," *Syria* 69 (1992): 391. This text is reprinted as P2 in Drijvers and J. F. Healey (n. 174), app. I.

182. It is worth noting that a Ma'nu with the title PSGRYB' is attested on a Syriac inscription from the citadel of Edessa; see H. J. W. Drijvers, *Old-Syriac (Edesseean) Inscriptions* (1972), no. 27. See Segal (n. 173), 19 and pl. 29a.

183. See Teixidor, "Un document syriaque de fermage de 242 ap. J.-C.," *Semitica* 41–42 (1993): 195–208; cf. Brock and Aggoula (n. 181). This document is reprinted as P3 in Drijvers and J. F. Healey (n.

174), app. I. Note the reconstruction of the dating mentioned in n. 180.

184. See, e.g., R. Duval, *Histoire d'Édesse* (1892), 69–70; A. R. Bellinger and C. B. Welles, “A Third-Century Contract of Sale from Edessa in Osrhoene,” *YCS* 5 (1935): 143–44; E. Kirsten, “Edessa,” *RAC* IV (1959), 552–53, on cols. 556–57. For an excellent discussion of the varied accounts (and names and dates of the kings) in the chronicles, and their relation to the Syriac contract, see H. J. W. Drijvers, “Hatra, Palmyra and Edessa,” *ANRW* II.8 (1977), 881–82.

185. For these texts, and translation, see F. C. Burkitt, *Euphemia and the Goth* (1913), 78–79.

186. *BMC Phoenicia*, lxxxvii–cxvi, 139–99. See N. Jidejian, *Sidon through the Ages* (1971). Dr. Howgego suggested to me that both legends and style may be due to the influence of Berytus.

187. *Sel. Pap.* II, no. 306.

188. *PIR*², G 171; see G. W. Bowersock, “Senators from the Near East,” in S. Panciera, ed., *Epigrafia e ordine senatorio* II (1982), 651, on 665. I am not convinced, however, that *Dig.* 1, 9, 12, shows that he had been adlected to the Senate, as against Dio 78, 30, 3, who says merely that he had held procuratorships.

189. So Aurelius Victor, *Caes.* 24, 1: *Aurelio Alexandro, Syriae orto, cui duplex Caesarea et Arce nomen est.* Cf. *HA, Sev. Alex.* 1, 1; 13, 5.

190. *BMC Phoenicia*, lxxi–iii, 108–10; see H. Seyrig, “Une monnaie de Césarée du Liban,” *Syria* 36 (1959): 39. *Non vidi* J. Starcky, *Arca du Liban, Cahiers de l'Oronte* 10 (1971–72): 103.

191. See S. Ben-Dor, “Petra Colonia,” *Berytus* 9 (1948): 41; A. Spijkerman, *Coins of the Decapolis and Provincia Arabia* (1978), 218–41; G. W. Bowersock, *Roman Arabia* (1983), 121.

192. Published by J. Starcky and C. M. Bennett in *Ann. Dept. Ant. Jordan* 12–13 (1967–68): 45, no. xii, and in *Syria* 45 (1968): 60, no. xiii. See now in Sartre's *IGLS* XXI.4, no. 48.

193. Starcky and Bennett (n. 192), on pp. 47 and 62, refer to the two *strat* 𐤂 𐤂𐤓𐤕𐤕𐤕 mentioned (as 'sRTGY') in a Nabatean inscription from Hegra / Medain Saleh, and suggest that these are in fact the annual *strat* 𐤂 𐤂𐤓𐤕𐤕 / *duumviri* of Petra. The inscription is *CIS* II.1, 235, re-published by Jaussen and Savignac, *Mission archéologique en Arabie* I (1909), 213, no. 57. Unfortunately the idea that this is a dating formula (“in the days of”—‘L YMY) is removed by the different reading in J. Cantineau. *Le nabatéen* II (1930), 37, no. viii.

194. *The Petra Papyri* I, ed. J. Frösén, A. Arjava, and M. Lintinen (2002).

195. *IGLS* XIII 9057.

196. See Spijkerman (n. 191), 66–89; A. Kindler, *The Coinage of Bostra* (1983); M. Sartre, *Bostra des origines à l'Islam* (1985), 76.

197. For the city's institutions as reflected in the epigraphy of the region, see Sartre (n. 196), 76–77.

198. See H. M. Cotton, W. Cockle, and F. Millar, "The Papyrology of the Roman Near East: A Survey," *JRS* 85 (1995): nos. 171–72. On *P. Bostra* 1, see now J. Gascou, "Unités administratives locales et fonctionnaires romains. Les données des nouveaux papyrus du Moyen Euphrate et d'Arabie," and H. M. Cotton, "Appendix: Administrative Divisions in Arabia," in W. Eck, ed., *Lokale Autonomie und römische Ordnungsmacht in den kaiserzeitlichen Provinzen vom 1.–3. Jh.* (1999), 71–73 and 90–91, respectively.

199. *BMC Syria*, lxxiv–v, 286–88.

200. *BMC Palestine*, xxv–xxxiv, 45–74. See K. W. Harl, "The Coinage of Neapolis in Samaria," *Am. Num. Soc. Mus. Notes* 29 (1984): 61.

201. *Midrash Ekha Rabbati* 1.5 (ed. Buber. 1899, 65). Translated by A. Cohen in *Midrash Rahbah, Lamentations*, ed. H. Freedman and M. Simon (1951), 100, where the references to Antipatris and Neapolis in Buber's text are rejected, without however any reason being given. I was grateful to Aharon Oppenheimer for confirmation that Buber's text is acceptable. Antipatris had been founded by Herod the Great—see Schürer, Vermes, and Millar, *History* II (1979), 167—but a remarkable confirmation of the historicity of the context is offered by coins of Antipatris from the reign of Caracalla or Elagabal, probably the latter, with the legend *M AYP ANT ANTIPATPIΣ*. See Y. Meshorer, *The City Coins of Eretz-Israel and the Decapolis* (1985), no. 150.

202. See, of course, the well-known article by G. M. Harper, "Village Administration in the Roman Province of Syria," *YCS* 1 (1928): 105; H. I. MacAdam, "Epigraphy and Village Life in Southern Syria in the Roman and Early Byzantine Periods," *Berytus* 31 (1983): 103, and *Studies in the History of the Roman Province of Arabia: The Northern Sector* (1986); and, above all, J.-M. Dentzer, ed., *Le Hauran* I.1–2 (1985–86).

203. *PIR*² I 407, 461, 488. For the family and the place, see now G. Amer and M. Gawlikowski, "Le sanctuaire impérial de Philippopolis," *Dam. Mitt.* 2 (1985): 1.

204. Le Bas-Waddington, nos. 2075–76 = IGR IV 1199–1200; AE 1928, 153 (reference only): given in full by Amer and Gawlikowski (n. 203), 12, *Divo Marino eqq. ala Celerum Philippianae*.

205. See P. Coupel and E. Frézouls, *Le théâtre de Philippopolis en Arabie* (1956).

206. There has been no comprehensive analysis of these buildings since the accounts by H. C. Butter, *AAES II: Architecture and Other Arts* (1903), 376–96, and by R. E. Brünnow and A. von Domaszewski, *Die Provincia Arabia* III (1909), 143–79. For a survey, necessarily based on published material, see A. Segal, “Town Planning and Architecture in Provincia Arabia: The Cities along the Via Traiana Nova in the 1st–3rd Centuries C.E.,” *BARInt. Ser.* 419 (1988): 75–76.

207. Le Bas-Waddington, no. 2072 = IGR III 1196.

208. *BMC Arabia*, xli–ii, 42–43; Spijkerman (n. 191), 258–61.

209. IGR III 1189. Note the inscription of A.D. 238 recording that someone had dedicated a statue of the Tyche of Sakkaia, *τύχην Μεγάλην Σακκαίας τῇ κυρίᾳ πατρίδι* (AE 1984, 921 bis).

210. *Orac. Sib.* 13, 64–73. See A. T. Olmstead, “The Mid-Third Century of the Christian Era,” *Class. Philol.* 37 (1942): 241, on 259–62; Baldus (n. 150), 252–55.

211. (a) Ascalon. The evidence consists solely of a papyrus of A.D. 359, *BGU*, no. 316 = L. Mitteis and U. Wilcken, *Chrestomathie*, no. 271, 1.26:

ἐν κολωνίᾳ Ἀσκ[άλωνι?] τῇ πιστῇ καὶ ἐλευθέρᾳ.

. See Schürer, Vermes, and Millar, *History* I, 105–8. (b) Gadara. The sole evidence is *CIL* III 181 = 6697 (Byblos): *col. Valen. Gadara*. See *ZDPV* 55 (1932): 76–80, and Schürer, Vermes, and Millar, *History* II, 132–36. (c) Gerasa. There are two inscriptions from the city which refer, or may refer, to colonial status, but not certainly that of Gerasa itself. C. H. Kraeling, *Gerasa City of the Decapolis* (1938), 437, no. 179: *Colonia Aur. Antoniniana*; 442, no. 191:

στρατηγὸν κα[ὶ π]άτρωνα τῆς κ[ολων]ιεύας.

. See Kraeling, 57. Later excavations do not seem to have produced any further inscriptions bearing on this topic.

212. P. Dura 32, 11.4–5. Cf. F. Cumont, *Fouilles de Dura-Europos* (1926), 393, no. 35: *πιάκλα [εἰ]σὶ κολ(ώνων?)*; 404, no. 50:

κόλωνες , βουλευταὶ καὶ εἰερεῖς ; and *Excavations at Dura-Europos* III (1932), 51, no. 149 (statue base for Julia Domna):

Αὐρηλ(ιανῶν) Ἀντωνινιανῶν Εὐρωπαϊῶν ἡ βουλή:
V (1934), 23, no. 396: κολωνιοδ[ουρανός?] .

213. *IGR* I 387. See C. A. M. Gucker, “The City of Gaza in the Roman and Byzantine Periods,” *BARInt. Ser.* 327 (1987): 119.

214. *IGR* III 1212; Gucker (n. 213), 148, no. 42.

215. Migne, *PL* XXXIII, cols. 29–54. English translation in R. J. Deferrari, ed., *Early Christian Biographies* (Fathers of the Church XV, 1952), 239–80; text with introduction, Italian translation, and notes in C. Mohrmann, ed., *Vite dei Santi* IV (1975). See also Gucker (n. 213), 45; H. Grégoire and M.-A. Kugener, eds., *Marc le Diacre, Vie de Porphyre* (1930).

216. The historical status of the entire narrative is, however, a matter of controversy, not least in this section. See also Gucker (n. 213), 65, n. 110.

217. See A. Johnston, “Greek Imperial Statistics: A Commentary,” *RN* 26 (1984) and Harl (n. 8).

CHAPTER NINE

Latin in the Epigraphy of the Roman Near East



Introduction

In approaching the complex problems of the role of Latin in the epigraphy of the Roman Near East, it seems appropriate to begin with by far the most famous of all Roman inscriptions, the *titulus* on the Cross. It is, of course, not typical of what we normally refer to as “inscriptions,” since it was written—presumably painted—on a non-permanent material, wood, and was thereby designed for the information of the public over only a short space of time, no more than a few hours. But it did share with all inscriptions, whether temporary or permanent, the intended function of making information available to whoever could read it, or have it read to them. It has moreover an exceptional importance for students of epigraphy, because it alone, of all the millions of inscriptions put up in the Roman Empire, is the subject of four separate reports in literary sources. It also serves as an object warning, as regards the effective transfer of information: for not one of the four reports coincides exactly with any of the others; and only one of them records even the elementary fact that the inscription was put up in three languages. The texts of the relevant passages from the four Gospels are as follows:

καὶ ἦν ἡ ἐπιγραφὴ τῆς αἰτίας αὐτοῦ ἐπιγεγραμμένη, ὁ βασιλεὺς τῶν Ἰουδαίων. (Mk. 15:26)

καὶ ἐπέθηκαν ἐπάνω τῆς κεφαλῆς αὐτοῦ τὴν αἰτίαν αὐτοῦ γεγραμμένην, οὗτός ἐστιν Ἰησοῦς ὁ βασιλεὺς τῶν Ἰουδαίων. (Mt. 27:37)

ἦν δὲ καὶ ἐπιγραφὴ ἐπ’ αὐτῷ, ὁ βασιλεὺς τῶν Ἰουδαίων οὗτος. (Lk. 23:38)

ἔγραψε δὲ καὶ τίτλον ὁ Πιλάτος, καὶ ἔθηκεν ἐπὶ τοῦ σταυροῦ. ἦν δὲ γεγραμμένον, Ἰησοῦς ὁ Ναζωραῖος ὁ βασιλεὺς τῶν Ἰουδαίων. τοῦτον οὖν τὸν τίτλον πολλοὶ ἀνέγνωσαν τῶν Ἰουδαίων, ὅτι ἐγγὺς ἦν ὁ τόπος τῆς πόλεως, ὅπου ἐσταυρώθη ὁ Ἰησοῦς. καὶ ἦν γεγραμμένον Ἑβραϊστί, Ῥωμαϊστί, Ἑλληνιστί. (Jn. 19:19–20)

It will be seen at a glance that by far the most detailed and informative of the four accounts is that of John. That of itself will of

course not prove that this narrative should be preferred to the Synoptic versions, from which it differs in almost every particular, including above all the relation of the Crucifixion to Passover. But in fact there are many reasons for believing that the “historical Jesus” is best reached through John’s Gospel.¹

All four reports of what the inscription said are transmitted to us in Greek, by authors whose origin (whether Jewish or gentile), current place of residence (whether in Judaea or elsewhere), or date of writing are all entirely matters of speculation. But the fact that they did write in Greek is of course a perfectly accurate reflection of the centrality of Greek as the primary language of communication throughout the Roman Near East. Given that role, it also functioned as a medium of transmission between the various Semitic languages used in the region on the one hand and Latin on the other. This role is perfectly exemplified, for instance, in a perishable medium, in the census return of A.D. 127 from the archive of Babatha, in which both Babatha’s subscription, originally in Aramaic, and that of the Roman *praefectus*, originally in Latin, appear in Greek translation.²

In the three Synoptic Gospels, however, the coexistence of Latin, Greek, and a Semitic language, as symbolised on the Cross, has dropped out of view, to leave only three different reports in Greek of what the inscription said. It is not only in that respect that John’s report is more complex and detailed. It is also he alone who records, whether veridically or not, that Jesus’ origin in Nazareth was indicated; and only he who reflects the currency of transliterated Latin official terms in everyday provincial Greek, in calling the inscription a *τίτλος*, or *titulus*: in this sense a notice written on any form of material, for public display.

More significant, however, is John’s report that the *titulus* was written in three languages, *Ἑβραϊστί*, *Ῥωμαϊστί*, *Ἑλληνιστί*. The latter two are of course straightforward, namely Latin and Greek. But it remains systematically uncertain what is meant by *Ἑβραϊστί*. The problem arises because, while it is certain that both Hebrew and Aramaic were in use among the Jewish population of Judaea, there was no clear and distinctive terminology for distinguishing between them.

Ἑβραϊστί οἱ κατὰ τὴν τῶν Ἑβραίων διάλεκτον

can be used by Josephus and New Testament writers to describe

words which are in fact in Aramaic.³ As regards the various dialects of Aramaic used by gentiles in the Near East, there is a fair degree of consistency among observers writing in Greek or Latin. They speak of *Suroi* (or sometimes *Assurioi*) in Greek and of *Syri* in Latin, and of people speaking *suristi* or “in the Syrian language.” We would not expect from them a detailed knowledge of dialects, or of regional variations. But it is significant for their global view of what we call “Aramaic” that outsiders applied terms cognate with “Syrian” to local dialects in use throughout the entire region; thus to Pliny the Elder, Hierapolis in northern Syria “is called Mabog by the *Syri*”; Josephus records that Palmyra was still called “Thadamora” among the *Suroi*; and Eusebius says that Petra was called “Rekem” among the *Assurioi*.⁴

But although the Aramaic used by Jews in Judaea was also just another dialect of the Aramaic which outsiders thought of as “the language of the Syrians,” and was distinct from Hebrew, it does not seem that, within a Jewish context, there was a clear distinction of nomenclature between the two. Indeed it is clear that there was not. So when either Paul in Jerusalem, or Josephus outside the walls of the city during the siege of A.D. 70, is described as making a speech to the

people *τῇ Ἑβραϊδὶ διαλέκτῳ*, or *ἑβραϊζὼν*, we cannot be sure whether Hebrew or Aramaic is meant. Either is in fact possible.⁵ But if either could be used as a spoken language, *a fortiori* either might have been used, along with Latin and Greek, in the formal context of the *titulus* on the Cross.

In the Near East, therefore, Latin entered into a more complex set of linguistic relationships than we can trace in any other area of the Empire. By and large, since both Latin (in certain specific contexts) and—much more generally—Greek functioned as the languages of the dominant power, we are dealing with the transmission of Latin and Greek words and concepts into Semitic languages rather than the other way round. The material need not be surveyed again here.⁶ But it is relevant to note that transliterations of Latin military and administrative terms into Semitic languages were generally derived not directly from Latin but indirectly through their Hellenised forms.

So *legio* becomes *λεγεών* in the New Testament (Mk. 5:9) and (see below) LGYWN' in Palmyrene, while *centurio* appears as Q T RYWN' in Palmyrene or QN T RYN' in Nabataean.⁷ More significantly, a large range of Roman official terms reappear in Semitic texts not as transliterated via Greek, but as transliterations of the corresponding

Greek translations. A number of examples will be given below.

The reverse process, the appearance of Semitic terms in Greek and Latin, is far less common and is indeed largely confined to names: of places, persons, and deities. Without using Semitic names in Latin and Greek transliteration it would have been quite impossible for either society or government to have functioned in this region at all. In that limited sense Semitic terminology pervades the entire written material—literary texts, perishable documents, and inscriptions—from the Roman Near East; detailed examples do not need to be given. But it should perhaps be stressed that while the re-naming of cities with Greek, or Latino-Greek names (“Maximianopolis”) was a process which was continuous from Alexander into the late Empire, the overwhelming mass of villages retained their Semitic names; and a significant proportion of these names have been retained continuously until today.⁸

In two specific contexts, however, Latin could be deployed in inscriptions in a way which was not significantly different from that in which it functioned in other regions of the Empire. One was the Latin “island” formed under Augustus by the foundation of the *colonia* of Berytus, with its extensive territory stretching over Mount Lebanon into the northern Bekaa valley. Here the public use of Latin was to survive the creation by Severus of a second *colonia* in this eastern sector, Heliopolis. But elsewhere, when the creation of nominal *coloniae* became more frequent from the 190s onwards, Latin, in these “colonial” contexts, entered into complex relations with Greek, and in some cases with Semitic languages.⁹

The other context for the relatively “pure” use of Latin was of course the military one. Most notable of all are the Latin inscriptions of the stone-built forts of the “desert frontier,” some still standing today, which line the edge of the steppe from Mesopotamia to the Red Sea, accompanied by milestones, above all those of the Via Nova in Arabia.¹⁰ The imperialist overtones of the milestones of Trajan’s road are matched above all by the triumphant message of the inscriptions from the Tetrarchic period. This appears most clearly in the inscription from the “camp of Diocletian” at Palmyra:¹¹

[Reparato]res orbi sui et propagatores generis humani dd.nn.
Diocletianus [et Maximianus] invictis]simi impp. et Constantius et
Maximianus nobb. Caess. castra feliciter condiderunt [curam age]nte
Sossiano Hieroclete v(ir) p(erfectissimus), praess. provinciae, d(evoto)
n(umini) m(aiestati)q(ue) eorum.

But everywhere, in whatever terms military inscriptions proclaimed the dominance of the emperors, individual soldiers lived in complex social, economic, religious, and linguistic relations with the multi-lingual society around them. This fact is very evident in the archive of Babatha (n. 2 above), as it is also in the quite remarkable bilingual inscription of a Roman veteran from the bank of the Tigris: the veteran (οὐβερρανός) , “Antonios Domittianos,” made his dedication to Zeus in Greek and Aramaic.¹²

It is displayed also, even more clearly, in the archive of Greek and Syriac documents of the third century from the middle Euphrates.¹³ The region to which these priceless new texts primarily refer, the area of the Euphrates around and upstream from its confluence with the Chabur, overlaps in a very significant way with that covered in the very rich documentary material from Dura-Europos. This material too provides ample evidence of the co-existence of Latin, Greek, and Semitic languages, and of the social, cultural, economic, and religious role of soldiers of the Roman army within a civilian environment. It is only necessary to mention, by way of illustration, the Greek deed of sale of A.D. 227, with signatures of witnesses in Latin, in which a veteran of Cohors III Augusta Thracum purchases an orchard on the banks of the Chabur. This papyrus, like the other documents on papyrus and parchment, was included in a masterly volume of the *Final Reports*, published in 1959.¹⁴ But, in the context of a volume on Latin epigraphy, it is necessary to stress that the inscriptions of Dura, a unique combination of Latin, Greek, Aramaic, Syriac, Safaitic, Palmyrene, and Middle Persian, have never been revised or collected since their initial publication by Franz Cumont and by others in the various reports of the excavations between the two world wars.¹⁵ Nor does it seem that there are any plans to carry out this work. Yet these texts, including graffiti and painted inscriptions, represent a unique historical and linguistic resource which it remains very difficult to use; moreover they urgently require systematic revision, because many of the, often hazardous, identifications of the buildings found by the excavators depend on the relations of inscription and structure. Without a proper collection and re-assessment of the inscriptions a critical evaluation of what we really know of Dura as a city cannot be undertaken.¹⁶

Along with all these other aspects, the study of the role of Latin in Dura, in public inscriptions and on perishable documents, and of Latin vocabulary transliterated into other languages, remains to be

undertaken. The situation is at least better, however, in the case of the other major site in the Near East for the study of linguistic co-existence and the influence of Latin: Palmyra.

Here at least there are systematic, if inevitably not complete, collections of the inscriptions, as well as a brief but extremely penetrating modern account.¹⁷ The history of Palmyra cannot be reviewed in any detail here. But three aspects will be considered, as a way of illustrating the complex questions which arise in relation to the role of publicly inscribed Latin in the Near East: the significance of Palmyra as a new, and rapidly evolving, city; the nature of the rather small corpus of inscriptions from Palmyra which are trilingual, in Latin, Greek, and Palmyrene; and the way in which attention to linguistic interplay between these three languages, as shown on contemporary inscriptions, can serve to correct mistaken views about the structure of power in Palmyra in the third century.

Firstly, we need to recall the broad features of the history of Palmyra which need to be borne in mind if the nature of its epigraphic record is to be understood.¹⁸ As a city, Palmyra was not ancient, but came into existence in the first century B.C.; only very slight evidence suggests the presence there of tombs, and perhaps the original temple of Allat, in the second century B.C. But although there had been no “city” of Palmyra in the Seleucid period, dating by the Seleucid era, beginning in autumn 312 B.C., is universal in its inscriptions. As a political community it evolved steadily towards the model of the Greek city, acquiring a *boulē* and *dēmos* in the second half of the first century A.D., along with a normal set of Greek city offices. In the course of the first century it also came firmly within the orbit of the Roman province of Syria. But, unlike all other Greek cities in the Roman East, its people continued to use a Semitic language, or dialect of Aramaic, Palmyrene, both in communal, official inscriptions and in epitaphs. In the latter, Palmyrene often appears alone, but in public inscriptions characteristically in a parallel text with Greek. So far as our evidence goes, *as an inscribed language*, Palmyrene was also a novelty as used in the imperial period: the earliest known text, from the temple of Bel, dates to 44 B.C. The “epigraphic habit” here was a borrowing from the wider Greek world, but in a unique bilingual form.

The notion that under Hadrian Palmyra became a free city is a mistake, although it was visited by the Emperor and acquired the Greek name “Hadrianic Palmyra” (HΔRYN’ TDMR in Palmyrene), and

it is under this name that it appears in the famous bilingual customs law of the Seleucid year 448, A.D. 137.¹⁹ In the early third century, however, under Septimius Severus or more probably Caracalla, it was granted the status of *colonia*, and it was as a Roman *colonia* that it played its remarkable, but very brief, role in the troubled events of the 260s and 270s.

It might have been expected that in the “colonial” period Latin, always rare but attested on inscriptions from Palmyra from the reign of Tiberius onwards, would become much more common. In fact it does not, and indeed, paradoxically, there are no Latin inscriptions of the *colonia*. Instead there is an intensification of a linguistic phenomenon already visible in the “Greek-city” period: the Palmyrene vocabulary for Graeco-Roman city institutions was almost entirely constructed by transliteration (for instance, in the customs law, DGM’, BWL’ WDMS, GRM ^T WS, and NMWS’—*nomos*, the law itself). Attempts at translation are relatively rare, for instance RB SWQ —“controller of the market,” *agaronomos*. But this instance in fact comes from the colonial period, when the new institutions of the *colonia*, clearly marked in the inscriptions, are expressed characteristically in Greek or in Palmyrene transliteration of Greek.

Colonia indeed is expressed as QLNY’; but *duumvir* as ^T *στρατηγός*, and hence in transliteration as ’S ^T R ^T G.²⁰ As in the Babatha archive (text to n. 2 above), Greek plays a dominant role in mediating between Latin and a Semitic language.

Against that background, we may now turn to the quite brief corpus of trilingual inscriptions from Palmyra, in which Latin, Greek, and Palmyrene not merely influence each other but appear in formal parallel texts. In fact, to my knowledge, there are only six such texts, dating between the 50s and the 170s. As mentioned above, none is known from the colonial period. The texts will be set out in chronological order.

Trilingual Inscriptions from Pre-colonial Palmyra

1. M. Rodinson, “Une inscription trilingue de Palmyre,” *Syria* 27 (1950): 137 (from just south of the agora).

A.D. 52

Haeranes Bonne Rabbeli

f. Palmirenus phyles Mithenon

sibi et suis fecit.

Ἔτους γξτ' μηνὸς Ξανδικοῦ
 Αἰράνης Βωνναίου τοῦ Παββήλου
 Παλμυρηνὸς φυλῆς Μειθηνῶν ἑαυτῶ
 καὶ Βωννῇ πατρὶ αὐτοῦ καὶ Βααλθηγα μητρὶ
 αὐτοῦ εὐνοίας ἔνεκεν καὶ τοῖς ἰδίοις αὐτοῦ

BYRH NYSN ŠNT CCCLXIII QBR' DNH' DY
 HYRN BR BWN' BR RB'L BR BWN' BR 'TNTN BR
 TYMY TDMRY' DY MN PHD BNY MYT' DY BN' 'L
 BWN' 'BWHY W'L B'LTG' BRT BLŠWRY DY MN
 PHD BNY GDYBWL 'MH WLH WLBNWHY LYQRHWN

Translation of Palmyrene:

In the month of Nisan of the year 363, this is the tomb of Hairan, son of Bonne, son of Rabbel, son of Bonne, son of Athenatan, son of Taimai, a Tadmorean from the tribe of the sons of Mita, which he built for Bonne his father and for Baalthegea, daughter of Bolsari from the tribe of the sons of Gadibol, his mother, for himself and for his sons, in their honour.

2. M. Gawlikowski, "Deux publicains et leur tombeau," *Syria* 75 (1998): 145 (from the western entrance to the Valley of the Tombs).

A.D. 56/7

[C. Virius Alcimus et]

[T. Stat]ilius Her[mes]

[fec]erunt sibi et suis

Ἔτους ηξτ'
 [Γαίο]ς Ὑρίος Ἀλκίμος
 [καὶ Τίτο]ς Στατίλιος Ἑρμῆς
 [ἐποί]ησαν ἑαυτοῖς καὶ τοῖς ἰδιοῖς

GYS WYRS 'LQMS WTYTŠ W'STTLYS H[RMS]
 BNW NPŠH WM'RTH 'LM LHN WLBNYHWN LYQ[RHWN]
 BŠNT 368

Translation of Palmyrene:

Gaius Virius Alcimus and Titus Statilius Hermes have constructed this funerary monument and hypogaeum, for ever, for themselves and their sons in their honour, year 368.

3. CIS II, no. 4235 = IGR III, no. 1539 = J. Cantineau, *Inventaire des*

inscriptions de Palmyre VIII, no. 57 (found in the Temple of Bel, but evidently deriving from a tomb).

A.D. 58

[L.S]pedius Chrysanthus

[vi]vos fecit sibi et suis

Λούκιος Σπέδιος Χρύσανθο[ς]
ζῶν ἐποίησεν ἑαυτῷ καὶ τοῖς
ἰδ[ίοις] ἔτους θξτ' μηνὸς Γ[ορ]π[ιαίου].

BYRH 'LWL ŠNT CCCLXIX [BN]H [LWQY]WS
'SPDY[S] KRYSTWS MKS' BHYWHY [QBR' DNH]
LH WLBNWH' WLBNY BYTH LY[Q]RH[WN]

Translation of Palmyrene:

In the month of Elul of the year 369, Lucius Spedius Christos, tax collector, during his life built this tomb for himself and his sons and the sons of his house, in their honour.

4. J. Cantineau, "Tadmorea," *Syria* 14 (1933): 169, on 174ff. (a column from the temple of Bel).

A.D. 74

Bu[le et civi]tas Palmyrenorum Hairanem

Bo[nnae f.] qui et Rabbilum

pium [et phi]lopatrin

Ἡ [βουλ]ῇ καὶ ὁ [δῆμος] Αἰράνην Βωννέο[υς]
[τὸν καὶ Ρ]άββηλο[ν]
κ[οσμητ]ῇν εὖσε[βῇ] καὶ [φιλ]όπατριν, τειμῆς χάριν
[εὔ]τους ἐπτ' μηνὸς Ξανδικοῦ.

BWL' WDMS LH[Y]RN BR BWN[' DY MTQR' RB'L]
MŠBTH BBNYBY [']L[HY'] WRHYM
MDYNTH 'QYMW LH ŠLM' DNH LYQRH
BYRH N[YS]N [ŠNT] [CCC]LXXXV

Translation of Palmyrene:

The *boule* and *demos*, to Hairan, son of Bonne, who is (also) called Rabbil, decorator of the buildings of the gods(?), and lover of his city, erected to him this statue, to honour him, in the month Nisan of the

year 385.

5. H. Seyrig, "Inscriptions grecques de l'agora de Palmyre," *Syria* 22 (1941): 223, no. 25; Cantineau, *Inventaire* X, no. 113 (from just to the south of the agora).

A.D. 174

L. Antonio Callis-

trato manc. IIII merc.

Galenus actor

Λ. Ἀντωνίῳ Καλ-
λιστράτῳ τεταρτώ-
νῃ Γαληνὸς πραγ-
ματευτῇ[ς] ἰδιο[ς].

ṢLM' DNH DY (L)WQYS 'NṬWNYS
QLṢṬRṬS DY RB' ' DY
'QYM LH LYQRH GLNWS PR-
GMṬṬ' DYDH BYRḤ '(B?) ṢNT
CCCCCLXXXV.

Translation of Palmyrene:

This is the statue of Lucius Antonius Callistratus "of the quarter," which Galenus, *pragmateutes*, his agent, erected to him, to honour him, in the month Ab(?) of the year 485.

6. Kh. Al-As'ad and J. Teixidor, "Quatres inscriptions palmyréniennes inédites," *Syria* 62 (1985): 271, no. 9 (find-spot not recorded; Museum of Palmyra).

A.D. 176

[ἐκτι]σεν Λούκιος
[. . .] λῶου τοῦ ζπυ'

[. . du]arum gub
[. . pecun]ia sua
[Polli]one II et Apro II cos.

QBY' 'LN TR[Y']
'NṬNYS Q[LSṬRTS]

The issues raised by these six inscriptions are of remarkable interest and complexity. In the earliest (1 and 2), although the Latin comes first and the Greek second, the Palmyrene text is considerably fuller, and the others are summaries of it. Inscription 1 certainly comes from a tomb, and in it the prominent Palmyrene Hairan (who also reappears in 4) lists his forefathers for five generations; the earliest, Taimai, ought thus to have been born at some time around the end of the second century B.C., that is the earliest period to which the evidence relating to Palmyra takes us back. These male ancestors evidently belonged to the “tribe” of the “sons of Mita,” while Hairan’s mother came from the “sons of Gadibol”; the nature of these groupings is a complex question which will not be pursued here.²¹ From the epigraphic point of view it is more significant that the Greek supplies a translation for TDMRY' DY MN P  D BNY MYT', namely *Παλμυρηνὸς φυλῆς Μειθηνῶν*, and that this translation is then transliterated, without alteration of grammar, into the Latin version. This is the earliest attested use of Latin by a native Palmyrene, and might be taken as a piece of exhibitionism by a prominent citizen in the early period of Roman domination.

Inscription 3 is also from a tomb. But in this case it is quite uncertain whether it reflects a degree of attachment to Graeco-Roman culture by a native Palmyrene or the presence of an immigrant Greek who is already in possession of the Roman citizenship. If he is a Palmyrene, these names are unique there,²² and he also claims no place in Palmyrene society, nor, in the Greek and Latin texts, any specific position. But in the slightly fuller Palmyrene text he records a position described as MKS', which in the customs law appears in the Palmyrene text as the equivalent of “whoever has contracted for the

collection [of the tolls]" in the Greek text. It does not however follow that he is a Roman *publicanus*. The contractors mentioned in the customs law are collecting tolls for the city, even if under the terms of regulations made under Roman supervision. It is equally possible that this tax collector is an immigrant Greek, with Roman citizenship, who is acting for the city. One may note as a parallel from the second century a *bouleutēs* from Antioch, also a Roman citizen, who was *τεταρτώνης* (collector of a 25 percent tax), evidently at Palmyra. He is recorded on a bilingual inscription of A.D. 161.²³

In either case the significance of inscription 3 as a sign of the way in which Palmyra was being rapidly drawn into the orbit of Graeco-Roman culture is far outweighed by that of 4, which represents the earliest appearance of the *boulē* and *dēmos* of Palmyra. Unlike the earlier three, this is the base of a statue (Σ ΛΜ'—"image"), erected to the same Hairan as in inscription 1 by the (as it seems) newly formed, Greek-style deliberative bodies of the city. Given difficulties with the text, whether he is being credited with contributing to the building, or decoration, of temples remains uncertain; but the notion of being *philopatris* (Ρ Η ΥΜ ΜΔΥΝΘΗ) is present in all these texts. It is of some significance that the Palmyrene equivalent is a translation, whereas that in the Latin—*[phi]lopatrin*—is a transliteration (not, alas, to be found in the *Oxford Latin Dictionary*). By contrast, the standard transliteration BWL' WDMS now takes its established place in Palmyrene public inscriptions, while the Latin equivalent is an awkward mixture of transliteration and translation, "bu[le et civi]tas Palmyrenorum." As so often, both versions are derivatives of the Greek.

Inscriptions 5 and 6 evidently concern the same man, L. Antonius Callistratus. The fact that he is a Roman citizen of Greek origin, given the dating of the inscription in the 170s, should cause no surprise. He too, like Spedius Chrysanthus, is a tax collector, concerned with a 25 percent tax, apparently on goods being traded or transported. This role is described in markedly different ways in the three languages:

τεταρτώνης in Greek, and DY RB' in Palmyrene (as in the inscription of 161 mentioned above); both thus give the level of the tax but do not indicate its object (and again the Palmyrene can hardly have been intelligible without the Greek). In Latin we have "*manceps* of the fourth part[?] of the *mercatura*, or *mercatus* or *mercedes*[?]."

Again it is clear that the concepts *πραγματευτής* in Greek and

actor in Latin are independent equivalents; but the Greek goes into Palmyrene in transliteration, PRGM ^T T—but is helped out by a Palmyrene gloss, DYDH, literally “who [is at] his hand.”

Inscription 6 is conspicuously “Roman,” in giving, as well as the Seleucid year in Greek, a dating in Latin by the consuls of 176, a feature which would not reappear in the inscriptions of Palmyra as a *colonia*. But it is also striking in that, fragmentary as it is, it seems to exhibit the transliteration of a Palmyrene word into Latin. For GUB in the Latin text seems to be a transliteration of GBY’, possibly meaning “craters,” which may have been recorded as offerings. With this fragmentary text, in which for the first time the Latin appears between the Greek and the Palmyrene, instead of first, the Latin epigraphy of the city of Palmyra comes to an end, a few decades before it rose to colonial status and acquired a new constitution. The only exceptions are a military inscription of A.D. 206, and then, after the collapse of Palmyrene power in the 270s, inscriptions of the Tetrarchic period. But it was in the context of the colonial period that one family at least rose to Roman senatorial rank.

The Position of Septimius Odenathus and His Son Septimius Hairanes in the 250s

The rest of this paper will not be concerned with the dramatic events of the 260s and 270s which briefly brought a prominent Palmyrene, Septimius Odenathus, and then his widow Zenobia and his son Septimius Vabalathus, to a leading role in the history of the Roman Near East.²⁴ Instead it builds on the re-interpretation of the presumed earlier history of the dynasty offered in a very important article by Michal Gawlikowski, published in 1985.²⁵ Here Gawlikowski showed that we have no evidence from before the 250s for members of the family occupying a leading role in Palmyra (or, still less, as representing a line of local dynasts). What we have instead, in the 250s, is a picture of an important local family, of Roman senatorial status, whose position is reflected in a series of honorific inscriptions in Greek and Palmyrene. Roman concepts, and individual Latin words, are everywhere present. But the Latin language, as such, is not. None the less, a study of the role of Latin terminology in the Greek and Palmyrene public vocabulary of the *colonia* in this period can add considerably to the force of Gawlikowski’s argument. The claim to imperial power by the family was to be a product of later circumstances, and was made by a senatorial family from within the

context of the Roman *colonia* from which they came. What that context was is the subject of this section. The texts need again to be set out in order. It should be stressed that these are the earliest dated inscriptions put up to honour any members of the family. The three bilingual inscriptions come from the Great Colonnade, and the three Greek ones from the temple of Baalshamin.

1. CIS II.3, no. 3944 = OGIS, no. 643 = Cantineau, *Inventaire* III, no. 16 = Gawlikowski, *Syria* 62 (1985): no. 4.

October, A.D. 251

Σεπτίμιον Αἰράνην Ὀδ-
αινάθου, τὸν λαμπρό-
τατον συνκλητικόν,
ἔξα[ρχον? τε Παλμυ]ρηνῶν,
Αὐρήλι[ος Φιλῖνο]ς Αὐρ. Ἡλι-
οδώρου [τοῦ Ῥααίου] στρατιώ-
της λεγ[εῶνος Κυρηνα]ϊκῆς, τὸν
πάτρωνα, τειμῆς καὶ εὐχα-
ριστίας χάριν, ἔτους γξϛ'.

line 5: or

[.. Φλαβιανό]ς

§ LM' DNH DY SP T MYWS H YRN BR

'DYNT SNQL T YQ' NYR' WRŠ
TDMWR DY 'QYM LH 'WRLYS

PLYNOS BR MRY' PLYN' R'Y PL H ,

DBLGYWN' DY B § R' LYQRH BYR H
TŠRY DY ŠNT DLXIII

Translation of Palmyrene:

This is a statue of Septimius Hairan, son of Odenathus, most distinguished senator and head of Tadmor, which Aurelius Philinus [or Flavianus] son of MRY' Philinus [or Flavianus] R'Y, a soldier who

(is) in the legion which (is at) Bostra, erected for him, in his honour.
In the month of Tishri of the year 563.

2. Gawlikowski, *Syria* 62 (1985): no. 13. Published by Kh. As'ad and M. Gawlikowski, "New Honorific Inscriptions in the Great Colonnade of Palmyra," *AAAS* 36–37 (1986–87): 169–70, no. 10.

April, A.D. 252

Σεπτίμιον Ὀδαίνα-
[θον Αἰ]ράνου Ὀ[υαβ]αλλά-
θ[ου τοῦ Νασώρου] λα[μ]πρό-
τατον [ἔξαρχον Παλμυ]-
ρηνῶν, Ἰουλῖος Αὐρήλιος
Ἀθηακά[βος Ὀ]γήλου Ζαβδι-
βώ[λου ..] ΚΩΣΣΚ τοῦ καὶ Κω(ρρα ...)
τατον φίλον στοργῆς ἔν(εκεν)
ἔτους γξϛ' μηνεῖ
[Ξανδ]ικῶ.

§ LM 'sP T MYWS '[DYNT BR H YRN] BR WHBLT N § WR RŠ[']
DY [TDMW]R NHYR' D'BD LH 'T'QB BR 'GYLW BR ZBDBWL BR
MQYMW

DMQR' QR' R H MH LYQRHWN BRBNWTH BYR H NYSN ŠNT
DLXIII

Translation of Palmyrene:

Statue of Septimius O[denathus son of Hairan], son of Vaballathus Nator, distinguished head of Tadmor, which Atheacabus son of Ogelus, son of Zabdibolus, son of Mocimus, who is (also) called Cora, his friend, made for him, in their honour, in his presidency. In the month of Nisan of the year 563.

3. *CIS* II.3, no. 3945 = Cantineau, *Inventaire* III, no. 17 = Gawlikowski, *Syria* 62 (1985): no. 9.

April, A.D. 258

Σεπ[τίμιον Ὀδαίναθον]
τὸν λαμ[πρότατον ὑπατικ]ὸν
συντέ[λεια οἱ – χνία τῶν χρυσοχ]όων
καὶ ἀργυ[ροκόπων τ]ὸν δεσπότην
τειμῆς χάριν, [ἔτου]ς θξϕ'
μηνεὶ Ξανδικῶ.

Ⲛ LM' SP Ⲑ MYWS 'DYNT

NHYR' HP Ⲑ YQ' MRN DY
'QYM LH TGM' DY QYNY'

'BD' DHB' WKSP' LYQRH

BYR Ⲭ NYSN DY ŠNT DLXVIII

Translation of Palmyrene:

Statue of Septimius Odenathus, most distinguished *consularis*, our master, which the association [*tagma*] of workers in gold and silver, erected to him, in his honour. In the month Nisan of the year 569.

4. Chr. Dunant, *Le sanctuaire de Baalshamin à Palmyre III: les inscriptions* (1971), no. 52 = Gawlikowski, *Syria* 62 (1985): no. 7.

A.D. 257/8

Σεπτιμίον Ὀδαίναθον
τὸν λαμπρότατον ὑπατικὸν
τὸ συμπόσιον τῶν κονετων
τὸν πάτρωνα
ἔτους θξϕ'.

5. Dunant, *Le sanctuaire de Baalshamin à Palmyre III: les inscriptions* (1971), 66, n. 2 = Gawlikowski, *Syria* 62 (1985): no. 8.

A.D. 257/8

[Σεπτίμ]ον Ὀδαίναθον
 [τὸν] λαμπρότατον
 [ὑπ]ατικὸν
 [τὸ] συμπόσιον
 [τῶν] Οὐαννων τὸν
 [π]άτρωνα
 ἔτους θξϕ'

6. H. Seyrig, "Les fils du roi Odainat," *Ann. Arch. Ar. Syr.* 13 (1963): 159 = Gawlikowski, *Syria* 62 (1985): no. 5.

A.D. 257/8

[Σεπτίμιον] Αἰράνην τὸν
 λαμπρότατον (υἱὸν) Ὀδαι-
 νάθου τοῦ λαμπρο-
 τάτου ὑπατικοῦ τὸ
 συμπόσιον σκυτο- (sic)
 ων καὶ ἄσκοναυτο -
 ποιῶν τὸν πάτρωνα
 ἔτους θξϕ.'

The two inscriptions of the Seleucid year 563 (A.D. 251/2) relate to a son of Odenathus, Septimius Hairanes, who is himself already of

Roman senatorial rank, *συγκλητικός*/SNQLTYQ'. It is extremely significant that the earliest of all (no. 1) is an honorific inscription put up to him not by the Palmyrenes but by a soldier from the Legion III Cyrenaica, stationed at Bostra: in Palmyrene PL **Η** , [soldier] DB LGYWN' DY B **Σ** R'. Septimius Hairanes was his *patronus*, duly transliterated as *πάτρων* . This expression finds no equivalent in the Palmyrene version.

By contrast, the Palmyrene text of inscription 1, like that of inscription 2, does give Hairanes a title which might well suggest an

established dynastic position: RŠ TDMWR or RŠ ['] DY [TDMWR], “head of Tadmor.” But we have to be careful in attributing too definite a meaning to this expression, which is not found elsewhere in the epigraphy of Palmyra. Moreover, an Aramaic and Greek bilingual inscription of the second–third century, from Khirbet Zif in ancient Idumaea, uses RŠ plus an expression denoting either a group of people

or a locality as the equivalent of the Greek *πρωτοπολείτης*, “leading citizen.”²⁶ Is there any reason to suppose that the soldier from Bostra meant anything more precise than that? The Greek equivalent in this case is baffling, partially missing in inscription 1

(*ἔξα[ρχον τε Παλμυ]ρηνῶν*) and almost completely missing in inscription 2 (*(ἔξαρχον Παλμυ]ρηνῶν)*. It is clear that Hairanes is described as something “of the Palmyrenes”; but

what? Restoration depends entirely on the three letters *ἔξα[. . .]*.

The normal restoration, *ἔξα[ρχον]*, may well be correct, though it requires inserting *τε* to fill up the space. It might be equally

possible to restore *ἔξα[ιρετός]*. But neither expression has any established usage as a technical term or in honorific inscriptions

(Plutarch, however, uses *ἔξαρχος τῶν ἱερέων* for *pontifex maximus*).²⁷ Even without the parallel from Khirbet Zif it should be clear that we cannot base any conception of a specific role on these two restored expressions. The context is in any case firmly Roman.

All the remaining inscriptions of the 250s date to the Seleucid year 569, A.D. 257/8, that is, while Valerian was in Antioch, and not long before his fatal campaign into Mesopotamia. The only evidence that an independent military role on the part of Odenathus had begun before this is provided by Malalas, who records that he attacked and pursued the retreating Persian forces in 253; but he has very probably retrojected a role which Odenathus in fact played only in the 260s.²⁸

At any rate the honorific inscription relating to Septimius Hairanes

(no. 6) now no longer uses the term *ἔξα[ρχος?]*, but refers strictly to his Roman status—*λαμπρότατος* (*vir clarissimus*, that is a senator)—and son of Odenathus, the *lamprotatos hypatikos*. This too is, of course, a Roman status, *clarissimus consularis*. It would be of considerable historical importance to know if *consularis*/

hypatikos is being used here in the sense of “governor”—which would imply that he was governing the (praetorian) province of Syria Phoenice.²⁹ The alternative is that this is simply a status designation. But the question may remain undecided in this context. The essential point is that this is indeed a Roman status designation and that the context of this honorific inscription, as of the three erected to Odenathus himself, is civilian. All four are erected by trade or professional groups within Palmyra. These themselves present problems which need not be discussed here.

What light do these inscriptions throw on Odenathus’ position within the structure of the Palmyrene community in the late 250s? We may begin with the bilingual inscription of the association of gold- and silver-workers (no. 3). Interestingly, to describe their association they use a different transliterated Greek word in the Palmyrene text

from that employed in the Greek text: TGM’ (τάγμα) DY QYNY’ ‘BD’ DHB’ WKSP’. The Greek text, largely restored, gives Odenathus,

as well as his Roman rank, *consularis*, the appellation δεσπότης, “master,” almost precisely reflected in the Palmyrene text, which calls him MRN, “our master.” So is *this* perhaps a reference to his dynastic role in Palmyra? The Greek inscriptions from the temple of Baalshamin, one in honour of Odenathus’ son Hairanes (no. 6), and two for Odenathus himself (nos. 4 and 5), show that any such notion would be completely misconceived. For, like the inscription put up some years earlier by the soldier of III Cyrenaica, these inscriptions reflect a personal relationship, in these cases between associations and a prominent citizen. The meaning which should be given to

δεσπότης and MRN in inscription 3, set up by one trade-association, is clearly indicated by the term which is used in the three other contemporary inscriptions of trade associations (nos. 4–6), as it

had been in that from the soldier: πατρων. Far from suggesting that Odenathus was already a “prince” in Palmyra, these texts illustrate how profoundly Palmyra, while still—uniquely—retaining the public use of a Semitic language, had taken on the character of a Graeco-Roman city; and more specifically how, as a Roman *colonia* whose leading family now enjoyed high senatorial rank, Roman concepts of status and relationship had come to play a part in its social structure.

These two brief sketches of two aspects of the complex linguistic

and epigraphic map of the Roman Near East can be no more than suggestive of the riches which remain still largely unexplored. The *epigraphic* use of Aramaic and its dialects evolved, throughout the region, in step with that of Greek, which was always the dominant language, and with that of Latin. If Latin always played a smaller role, it was not a negligible one, if only because all of the Near East was at all times a military area, in which the influence of the Roman army was profound. But for us to understand these mutual social, cultural, and linguistic influences more fully, the most urgent task is the reactivation of the epigraphic heritage of Dura-Europos.

Notes

* First published in H. Solin, O. Salomies, and U.-M. Liertz, eds., *Acta Colloquii Epigraphici Latini. Helsinki 3–6 Sept. 1991* (Commentationes Humanarum Litterarum 104, 1995), 403–19.

1. See for the best discussion of the issues, E. Bickerman, “Utilitas Crucis,” *RHR* 112 (1935): 169 (= *Studies in Jewish and Christian History* III [1986], 82); and for the significance of John’s Gospel, F. Millar, “Reflections on the Trials of Jesus,” in P. R. Davies and R. T. White, eds., *A Tribute to Geza Vermes: Essays on Jewish and Christian Literature and History* (1990), 355 (= chapter 7 of the present volume), and R. Lane Fox, *The Unauthorised Version: Truth and Fiction in the Bible* (1991), 383ff.

2. N. Lewis, *The Documents from the Bar-Kokhba Period in the Cave of Letters: Greek Papyri* (1989), no. 16.

3. For the most detailed survey, see still Schürer, Vermes, and Millar, *History* II, 20–28. For the confusion, see esp. 25, n. 118. See also H. M. Cotton’s new edition of the famous lines of *P. Yadin* 52, lines 11–15:

ἐγράφη δ[ἐ] Ἑλληνεστί διὰ τ[ὸ] [ἡ]μᾶς μὴ εὐρηκ[έ]ναι Ἑβραεστί ἐ[γγρ]άψασθαι
, in Y. Yadin, J. C. Greenfield, A. Yardeni, and B. Levine, *The Documents from the Bar Kokhba Period in the Cave of Letters II: Hebrew, Aramaic and Nabataean Documents* (2002), 351–62.

4. Pliny, *NH* 5, 81; Josephus, *Ant.* 8, 154; Eusebius, *Onom.*, ed. Klosterman, 142, 8.

5. Acts 21:40; Josephus, *BJ* 6, 96.

6. D. Kennedy and D. Riley, *Rome’s Desert Frontier from the Air* (1990). Note also J. Wagner, *Die Römer an Euphrat und Tigris* (Antike Welt, Sondernummer, 1985); *Dizionario Epigrafico* IV, 43 (1984), s.v.

“Limes”: 1324–76/4 (Mesopotamia, Osrhoene, Syria, Judaea, Arabia); A. Lewin, “Dall’Eufrate al Mar Rosso: Diocleziano, l’esercito e i confini tardo-antichi,” *Athenaeum* 78 (1990): 141. See M. G. Angeli Bertinelli, *Nomenclatura pubblica e sacra di Roma nelle epigrafi semitiche* (1970); Schürer, Vermes, and Millar, *History* II, 52ff. (Greek and Latin loanwords in Hebrew and Aramaic); M. G. Angeli Bertinelli, “I Semiti e Roma: appunti di una lettura di fonti semitiche,” in *Serta Historia Antiqua* I (1986), 145.

7. See Angeli Bertinelli, *Nomenclatura*, s.v. “centurio” (Palmyrene); *CIS* II, no. 215 (Nabataean).

8. See, e.g., E. Frézouls, “La toponymie de l’Orient syrien et l’apport des éléments macédoniens,” in *La toponymie antique. Actes du colloque de Strasbourg 1975* (1978), 219.

9. F. Millar, “The Roman *Coloniae* of the Near East: A Study of Cultural Relations,” in H. Solin and M. Kajava, eds., *Roman Eastern Policy and Other Studies* (Societas Scientiarum Fennica, Commentationes Humanarum Litterarum 91, 1990), 7, and esp. 10–23, 32–34, for the Latin “island” of Berytus and Heliopolis (= chapter 8 of the present volume).

10. For the “desert frontier,” see (if not very detailed as to inscriptions) the immensely evocative book by Kennedy and Riley (n. 6).

11. J. Cantineau, *Inventaire des inscriptions de Palmyre* VI, no. 2.

12. J. F. Healey and C. S. Lightfoot, “A Roman Veteran on the Tigris,” *Epigraphica Anatolica* 17 (1991): 1.

13. See D. Feissel and J. Gascou, “Documents d’archives romains inédits du Moyen Euphrate (III^e s. après J.-C.) I. Les petitions (P.Euphr. 1 à 5),” *JS* (1995): 65–119; “II. Les actes de ventes-achat (P.Euphr. 6 à 10),” *JS* (1997): 3–57; “III. Actes divers et letters (P.Euphr. 11 à 17),” *JS* (2000): 157–208.

14. C. Bradford Welles, R. O. Fink, and J. Frank Gilliam, eds., *The Excavations at Dura-Europos, Final Report V.1: The Parchments and Papyri* (1959); the deed of sale of A.D. 227 is no. 26.

15. For the inscriptions of Dura, see F. Cumont, *Fouilles de Dura-Europos* (1922–23) (1926), 349–454; *Excavations at Dura-Europos, Preliminary Reports I–IX* (1929–52); Mesnil du Buisson, *Inventaire des inscriptions palmyréniennes de Dura-Europos* (1939); R. N. Frye, J. F. Gilliam, H. Ingholt, and C. B. Welles, “Inscriptions from Dura-Europos,” *YCS* 14 (1955): 127. Note also C. B. Welles, “The

Population of Roman Dura,” in *Studies in Roman Economic and Social History in Honor of A. C. Johnson* (1951), 251, and G. D. Kilpatrick, “Dura-Europos: The Parchments and Papyri,” *GRBS* 5 (1964): 215 (the best available survey of linguistic co-existence there).

16. See F. Millar, “Dura-Europos under Parthian Rule,” in J. Wiesehöfer, ed., *Das Partherreich und seine Zeugnisse* (Historia-Einzelschrift 122, 1998), 473–92 (= chapter 16 of the present volume).

17. *Corpus Inscriptionum Semiticarum* II.3 (1926); J. Cantineau et al., *Inventaire des inscriptions de Palmyre* I–XII (1939–65). See J. Starcky and M. Gawlikowski, *Palmyre*² (1985).

18. This section sums up a more detailed treatment in *The Roman Near East (31 B.C.–A.D. 337)* (1993), 159–70.

19. For the best treatment, see J. F. Matthews, “The Tax Law of Palmyra: Evidence for Economic History in a City of the Roman East,” *JRS* 74 (1984): 157.

20. See in more detail Millar (n. 9), 42–46.

21. See D. Schlumberger, “Les quatre tribus de Palmyre,” *Syria* 47 (1971): 121, and cf. M. Gawlikowski, *Le temple palmyrénien* (1973), chap. 2.

22. See J. K. Starck, *Personal Names in Palmyrene Inscriptions* (1971).

23. J. Cantineau, *Inventaire* X, no. 29. *ΤΕΤΑΡΤΩΝΗΣ* here is translated as DY RB².

24. On the 260s and 270s, see F. Millar, “Paul of Samosata, Zenobia and Aurelian: The Church, Local Culture and Political Allegiance in Third-Century Syria,” *JRS* 61 (1971): 1–17 (= chapter 10 of the present volume).

25. M. Gawlikowski, “Les princes de Palmyre,” *Syria* 62 (1985): 251.

26. L. Y. Rahmani, “A Bilingual Ossuary: Inscription from Khirbet Zif,” *IEJ* 22 (1972): 113 = J. A. Fitzmyer and D. J. Harrington, *A Manual of Palestinian Aramaic Texts* (1978), 302, no. A53. See also Y. Yadin, “A Note on the Bilingual Ossuary Inscription from Khirbet Zif,” *IEJ* 22 (1972): 235–36.

27. Plutarch, *Numa* 10.

28. See Millar (n. 18), 159–73.

29. See B. Rémy, “*Ὑπατικοί* et *consulares* dans les provinces

impériales prétoriennes au IIe et IIIe siècles,” *Latomus* 45 (1986): 311.

CHAPTER TEN

Paul of Samosata, Zenobia, and Aurelian: The Church, Local Culture, and Political Allegiance in Third-Century Syria



Introduction

What we call the “eastern frontier” of the Roman Empire was a thing of shadows, which reflected the diplomatic convenience of a given moment, and dictated the positioning of some soldiers and customs officials, but hardly affected the attitudes or the movements of the people on either side.¹ Nothing more than the raids of desert nomads,² for instance, hindered the endless movement of persons and ideas between Judaea and the Babylonian Jewish community.³ Similarly, as Lucian testifies, offerings came to the temple of Atargatis at Hierapolis/Bambyce from a wide area of the Near and Middle East, including Babylonia.⁴ The actual movement to and fro of individuals was reflected, as we have been reminded,⁵ in a close interrelation of artistic and architectural styles. Moreover, whatever qualifications have to be made in regard to specific places, it is incontestable that Semitic languages, primarily Aramaic in its various dialects, remained in active use, in a varying relationship to Greek, from the Tigris through the Fertile Crescent to the Phoenician coast. This region remained, we must now realize, a cultural unity, substantially unaffected by the empires of Rome or of Parthia or Sassanid Persia.⁶

On the face of it, these facts might seem to give added confirmation to what is the standard interpretation of the career of Paul of Samosata. The bare structure of this career, which we know essentially from Eusebius,⁷ is that he succeeded Demetrianus as bishop of Antioch, was accused of heresy, and was the subject of two synods held at Antioch in about 264 and 268/9 (for the dates, see below), the second of which condemned him. On his refusal to leave the church house, his opponents made a successful petition against him to Aurelian (270–75). The accepted interpretation, represented primarily by G. Bardy’s book on Paul,⁸ and by Glanville Downey’s standard work on the history of Antioch,⁹ sets this career firmly in the context of a wide pattern of cultural and political relationships. On this view,

Paul, coming from Samosata, was the champion of the “native” (Syriac- or Aramaic-speaking) element in the Antiochene church. His opponents were the representatives of Greek culture. Moreover, a remark made in the letter of the second synod retailing Paul’s offences is held to mean that he held a government post as *ducenarius* (i.e., a *procurator* with a salary of 200,000 sesterces per annum; see text to n. 137 below); and later evidence is brought in to show that this will have been in the service of Palmyra, more specifically of its queen, Zenobia. Thus a conflict of cultures becomes intimately linked to a political conflict. Paul owes his position to Zenobia, and his opponents’ appeal to Aurelian will have taken place when the latter recaptured Antioch from the Palmyrenes in 272. In spite of the partial reservations in the excellent earlier study of Paul by F. Loofs¹⁰ and the briefly expressed scepticism of A. Alföldi,¹¹ this interpretation seems to have become firmly established.¹² It also serves what appears to be the necessary function of explaining how the synod of Antioch could have petitioned a pagan emperor, and how that Emperor found it worthwhile to attend to their request, and to give it a favourable response.

The career of Paul of Samosata is thus central to a number of questions of great delicacy and importance. The collection and arrangement of the scanty and disparate evidence for the various elements of a possible “local” culture in any area of the Roman Empire are difficult enough; much more sensitive is the question of the role, function, or prestige of that culture in relation to a dominant culture.¹³ It is a still more hazardous step to assert that what we know of any individual episode justifies the imposition of an explanation in terms of a local “nationalism.”¹⁴ But at the same time the very fragility and scantiness of our evidence is itself a reason for not proceeding with brusque confidence to negative conclusions.

Syriac and Greek in the East Syrian Regions and Mesopotamia

From scattered evidence we can now gain some conception of the geographical spread and profound influence of Greek culture through Mesopotamia to Iran, central Asia, and Afghanistan.¹⁵ By contrast, we have from Judaea the example of a society close to the Mediterranean seaboard, whose culture was very early deeply affected by Hellenism,¹⁶ and where the speaking of Greek was clearly widespread,¹⁷ but which consciously maintained and developed a local culture and tradition within its Hellenised environment. We

could hardly ask for a neater example of the conflict of cultures than the story of R. Gamaliel II elaborately justifying his use of the baths at Akko-Ptolemais, in spite of the presence there of a statue of Aphrodite.¹⁸

Moreover, we have at least one case where a change of political regime does seem to be immediately reflected in the predominance of Greek as an official language. In both language and art the kingdom of Nabataea, annexed in 106,¹⁹ belonged to the Aramaic-Greek world mentioned above. But while the Nabataean language, as is shown by inscriptions,²⁰ persisted at least until the early fourth century, the “archive of Babatha,” discovered in 1961, and now fully published, shows that to a significant extent Nabataean was abandoned in legal documents and replaced by Greek within a few years of the establishment of the province.²¹

Thus the wider background provides an ample justification for posing the question whether the development of Syriac literature, almost entirely Christian, and of the distinctive Syriac script, reflects some wider cultural and political movement, to which both the rise of Palmyra and heretical movements in the church within Roman Syria might conceivably be related.

All the places which are most relevant—Osrhoene, Palmyra, and Samosata—belong to that wide region on either side of the Euphrates over which Roman rule was steadily extended in the course of the first three centuries of the Empire. Beyond this area too, in Parthian and Sassanid Mesopotamia and Iran, it is generally accepted that cultural changes were taking place, with a steady eclipse of Hellenism in the surviving Greek cities in the later Parthian period;²² though it is notable that, as late as the end of the first century A.D., a Greek geographer could be produced by distant Charax at the head of the Persian Gulf.²³ Nor is it clear that it was mere vainglory that led to Greek being one of the three languages of the great inscription of Shapur I on the Kaaba of Zoroaster at Naqsh-e Rostam.²⁴

The rise of Syriac belongs to the “frontier” area along the Euphrates and to Osrhoene, with its capital Edessa. The Syriac cursive script is first attested on an inscription of A.D. 6 from Birecik on the left bank of the Euphrates, and a couple of other inscriptions come from the same region later in the century.²⁵ More important is the earliest surviving Syriac document on perishable material, the deed of sale written at Edessa in 243 and found at Dura-Europos.²⁶ From Edessa we have the apparently eye-witness account of the flood of A.D. 201,

later incorporated in the Syriac *Chronicle of Edessa*,²⁷ and more significantly the writings (all now lost except the *Book of the Laws of Countries*) of the heretic Bardesanes (154–c. 220).²⁸ In the face of this important development we perhaps forget that Edessa too was a Macedonian colony.²⁹ Bardesanes was literate in both Greek and Syriac,³⁰ as was his son Harmonius, who was educated in Athens, and composed hymns in Syriac;³¹ and Bardesanes' Syriac works were translated into Greek by his disciples.³² In short, Bardesanes was the product of a mixed culture, where it may be impossible for us to determine what the values attached to each language were, or even, in certain cases, which the original language of a particular work was. Thus, for instance, only the most careful analysis can make it probable that the *Odes of Solomon* were written in Syriac, and translated into Greek by the third century, from when we have a papyrus text in Greek of *Ode XI*.³³

Edessa may not have been totally different from another Macedonian foundation much better known to us, Dura-Europos. Here, together with a preponderance of Semitic cults, Greek documents still far outnumber all others (in Latin, Pahlavi and Middle Persian, Parthian, Safaitic, Palmyrene, Aramaic, and Syriac), even from the latest, Roman, period of the city.³⁴ Furthermore, one of the Greek documents (*P. Dura* 10) serves to illustrate the extraordinary tangle of confusions which tends to beset any attempt to portray the cultural framework of early Eastern Christianity. This is the Greek fragment of the *Diatessaron* of Tatian; in spite of the obvious implications of the name, and the fact that no source actually says so, it has frequently been argued that this was originally composed in Syriac. In fact there are no valid linguistic arguments against the *prima facie* deduction from this very early text that Greek was the original language.³⁵ But what was the origin of Tatian himself? In his *Address to the Greeks*, itself written in Greek, he says (claiming for Christianity the prevailing prestige of oriental wisdom,³⁶ but also neatly exhibiting the prevailing confusion of cultures): "These things, I, Tatianos, arguing against the barbarians, composed for you, Greek men; although born in the Assyrian land, I was first educated in your [culture]."³⁷ "Assyria," it has been asserted,³⁸ must thus refer to the land east of the Tigris. But the word could be applied to southern Mesopotamia,³⁹ and is even used, by a literary conceit, of places within Roman Syria. Lucian, from Samosata, calls himself an "Assyrian" (see below), while Philostratus seems to apply it to the inhabitants of Antioch⁴⁰—and equally to a man from Nineveh.⁴¹

Clement, a near contemporary, calls Tatian simply, “the Syrian.”⁴² Of all our sources only the not always reliable Epiphanius says anything definite about his origins; after saying separately that he was “a Greek by birth” and that he was (again) a “Syrian,” he records that his preaching began in Mesopotamia and continued, after a visit to Rome, in the area of Antioch, Pisidia, and Cilicia.⁴³ We cannot in fact state the origin of Tatian, any more than we can of the “Assyrian” Prepon, who, according to the contemporary Hippolytus, wrote against Bardesanes (whom he calls an “Armenian”⁴⁴—while Porphyry, later in the century, calls him a “Babylonian”).⁴⁵ But the very fact that clear definitions of locality and nationality are wanting has its own significance.

All that has been said applied equally to Paul’s native city, Samosata. Most of what we know of it relates to the royal house finally deposed by Vespasian about A.D. 72, with its mixed Iranian and Greek traditions, and the vast inscriptions in Greek relating to the royal cult, from the *hierothesion* (sacred monument) of Mithridates Callinicus at Arsameia on the Nymphaios and of Antiochus I on Nemrud Dagħ, with its magnificent free-standing sculptures.⁴⁶ We would expect that here, as in the other border regions absorbed by Rome, Greek and a dialect of Aramaic persisted together. This is tentatively confirmed by the evidence of Lucian (who in different passages calls himself both an “Assyrian” and a “Syrian”)⁴⁷ when in the *Bis Accusatus* (Twice Accused) 27 he makes “Rhetoric,” in the role of his accuser, call him as a youth “a barbarian still, so far as he sounds, and still wearing a Persian garment after the Assyrian fashion.” This could easily be dismissed as a depiction of standard rhetorical exaggeration, referring at most to a local accent or a mere rusticity. But we have just enough evidence to show that such a conclusion would be over-hasty. For what may be the earliest product of Syriac literature, the letter of Mara bar Sarapion,⁴⁸ is the work of a Samosatene writing to his son in the period after the expulsion of some citizens from there (including the writer) by the Romans; the occasion cannot be definitely determined, and might be any moment from the capture in 72 to the third century. Moreover we have an apparently genuine martyr act from Samosata, written in Syriac and relating to the early fourth century.⁴⁹

From the mere fact that Paul is described as a Samosatene we cannot simply assume that he was born and brought up there.⁵⁰ But if we grant that it is probable that he had some substantial connection

with the place, then it is not unlikely that he spoke Syriac as well as Greek (for there can be no possible doubt that he used Greek as bishop of Antioch). But, even so, the speaking or writing of Syriac did not of itself represent a rival, “oriental,” culture. Just as early Syriac documents and literary works exhibit numerous Greek loan-words,⁵¹ so for instance the letter of Mara bar Sarapion itself has a Stoic colouring and is replete with allusions from the history of classical Greece.⁵²

Moreover, the same doubts which must be felt about the “orientalism” of Paul apply to Palmyra itself. For while no one can question either the total predominance of Semitic cults there or the vigour and splendour of the native Palmyrene art and architecture, the city (now a Roman colony) was officially bilingual in Palmyrene and Greek⁵³ (though Palmyrene nomenclature in particular suggests that the population was in fact largely of Arab stock).⁵⁴ But it is only the *Historia Augusta* which appears to imply that Zenobia could not write a letter in Greek.⁵⁵ That point arises in connection with one of the only two facts we can be said to know about the culture and historical outlook of Zenobia. The first is that she brought to her court Longinus, the foremost Greek literary scholar of his day.⁵⁶ The second is that in Egypt she identified herself with Cleopatra; so it was to her under this name that a Greek rhetor, Callinicus of Petra, dedicated his history of Alexandria.⁵⁷

Thus the wider cultural background of the third-century Near East is fraught with ambiguities. Before coming to the events of the 260s and 270s it remains to look at Roman Syria proper. Is there anything to suggest either the survival of non-classical traditions or the development of a local strain in Syrian Christianity?

Local Culture in Roman Syria

Abundant evidence illustrates the survival of pre-Hellenic cult centres in Roman Syria and its environs. One need only mention by way of example the cult of Perasia at Hierapolis/Castabala⁵⁸ (in the province of Cilicia); of Atargatis at Hierapolis-Bambyce, brilliantly described by Lucian in the *de a Syria*,⁵⁹ or of Elagabal at Emesa.⁶⁰ Equally clear is the continuous tradition of the cults of cities on the Phoenician coastline from the second millennium B.C. into the Roman period. It is particularly significant that this was a conscious survival. For in the first half of the second century A.D. Philon of Byblos claimed to have composed his *Phoenicica* on the basis of a work in Phoenician (a

language related to Aramaic and Hebrew) by one Sanchuniathon, who dated from before the Trojan wars and who in fact perhaps belonged in the Persian or early Hellenistic period and may have written in a dialect of Aramaic.⁶¹ Philon's work is important both in showing that an educated Greek could be explicitly conscious of the non-Hellenic traditions of his homeland and in filling out the very scanty documentary record of Phoenician from this period. The record indeed hardly extends beyond the Hellenistic age: we have for instance a Phoenician inscription from Oumm El-'Amed dated to 132 B.C.,⁶² and another from Byblos which may be from the early Roman period, perhaps as late as the first century A.D.⁶³ More securely dated, to 96 B.C., is the latest of a series of bilingual Sidonian inscriptions from Athens and the Peiraeus.⁶⁴ About 100 B.C. Meleager, in an epigram recording his birth at Gadara, his move to Tyre, and his old age in Cos, neatly contrasts the form of greeting in Aramaic, Phoenician, and Greek.⁶⁵ In the third century we may note that Porphyry of Tyre gained this name, by which he is always known, from a word-play by Longinus (whose mother came from Emesa)⁶⁶ on his original name, "Malchus."⁶⁷ Earlier, as Porphyry himself explains, his friends had been accustomed to nickname him simply "Basileus."⁶⁸ It is clear at least that Porphyry and his friends knew that in his native tongue (*patrios dialektos*) MLK meant "King." Whether he had a real knowledge of Phoenician (or Aramaic), and whether his studies of the Old Testament involved any knowledge of Hebrew, remains obscure.⁶⁹

Further north on the Phoenician coastline, from the cities around Aradus and up to Gabala, we may note the presence of Semitic lettering on coins of the Hellenistic period,⁷⁰ the bilingual inscription of a man from Aradus who died at Demetrias in Thessaly about 200 B.C.,⁷¹ and also a bilingual inscription (IGLS 4001) from Aradus itself, dating to 25/4 B.C. But thereafter there is a gap of centuries before we learn from Socrates that Severianus, bishop of Gabala in the early fifth century, though supposedly educated, spoke Greek with difficulty and in a definite Syrian accent.⁷²

The best confirmation, however, of the possibility that Philon of Byblos might have known Phoenician or Aramaic comes from a remarkable source, a scholion found in one of the manuscripts of Photius' account of Iamblichus, the Greek novelist of the second century A.D. The information is represented as coming from Iamblichus himself and has certainly every appearance of being circumstantial. According to the passage, Iamblichus recorded that he

was a Syrian on both his mother's and his father's side—"not one of the Greeks inhabiting Syria, but one of the natives, speaking their language and living by their customs." He acquired his knowledge of Babylonian lore from a captive taken in Trajan's Parthian campaign; later he was trained in Greek and became a skilled orator.⁷³

This is the only item of evidence from a pagan source which clearly implies the existence of a whole class of educated Aramaic-speaking persons in Roman Syria, and as such is of great importance. For further evidence on the use of Aramaic in Syria we have to wait until the Christian period, whose literature, as always, allows us insight into social levels which pagan literature tended systematically to ignore.⁷⁴ Though Christian writers call the native language of Syria "Syrian," it was actually what we call Aramaic, and it will save confusion to reserve "Syriac" for the dialect of Edessa, the script associated with it, and the literary language developed from it. In assembling the evidence it will not be necessary to pay special attention to those passages where Christian writers merely refer generally to Aramaic or to the meanings of individual words in it;⁷⁵ what is important is to examine those items which give some indication of the geographical or social range of Aramaic-speaking, and its role within the church.

It so happens that much of the relevant evidence relates to the gentile population of Palestine and its environs. The earliest Christian evidence comes from the "long," Syriac, recension of Eusebius' *Martyrs of Palestine*, and relates to Procopius, a martyr from Scythopolis executed in 303, who had the role of interpreting into Aramaic in the church there.⁷⁶ What is meant by this is revealed by the detailed report of the conduct of services in Aelia (Jerusalem) made a century later by the pilgrim Egeria (or Aetheria). She found that part of the congregation spoke only Greek, part only Aramaic, and part both. But the bishop, even if he knew Aramaic, spoke only Greek in conducting services, while a presbyter had the task of translating his words into Aramaic. Similarly, readings from the Bible were made first in Greek, and then interpreted.⁷⁷ Nothing could demonstrate more clearly the values attached to the two languages. One may compare with it the closely related evidence of Jerome, describing the funeral of Saint Paula in Bethlehem in 404—"the Psalms were sung in Greek, Latin, and Syriac in this order."⁷⁸

Towards the middle of the fourth century we find the hermit Hilarion, in the desert outside Gaza, questioning a Frankish officer of Constantius in Aramaic, and miraculously causing the man to answer

likewise; Hilarion then repeated his question in Greek. He was clearly in fact bilingual; he came from a village near Gaza and in his youth had been to study with a *grammateus* in Alexandria. Aramaic was evidently common, but not universal, in the towns of this area. Retailing an incident when Hilarion visited Elusa, Jerome emphasises that the place was *semibarbarus*: a large crowd abandoned a festival of Venus which was in progress there and greeted Hilarion with shouts of *Barech*—"Bless [us]." ⁷⁹ In 402 we find in Gaza itself a child, seized by divine possession, calling out in Aramaic instructions for the burning of the temple of Marnas there, and repeating them in Greek when interrogated by the bishop, Porphyry. But, when interrogated herself, his mother swears that neither she nor her son knows Greek. ⁸⁰

From Syria proper we do not have so much clear evidence. But Jerome speaks of a hermit named Malchus living in a village thirty miles east of Antioch—"A Syrian [*Syrus*], by nationality and language, as a native of the same place would be," though in fact he says later that the man was by origin an immigrant from Nisibis. ⁸¹ But what of Antioch itself? Theodoret, who was born and educated in Antioch, and was bishop of Cyrrhus in the first half of the fifth century, wrote entirely in Greek but certainly knew Aramaic and used his knowledge in interpreting the Bible. ⁸² It is not likely, however, that he learnt it in Antioch itself. For the clearest indication of the linguistic situation there comes from John Chrysostom, who in a sermon preached in the city describes the country people coming in for a Christian festival as a "people different from us so far as their language is concerned, but kin to us in their faith." ⁸³ It seems indisputable that he means that, characteristically at least, the Christians of Antioch spoke Greek and those of its territory (*chora*) Aramaic. Similarly, Theodoret mentions a hermit from the territory of Cyrrhus who knew no Greek. ⁸⁴

Thus, though the evidence is slight and scattered, it is sufficient to show that Aramaic was a living language in Roman Syria. But all the indications are that it remained a rustic vernacular with no claim to rival Greek as a language of culture; ⁸⁵ it does not seem to have been until the fifth century that Syriac came to be the vehicle of literature written in Roman Syria. ⁸⁶ Furthermore, although the appearance of a Christian Syriac literature in Edessa in the second and third centuries is something of great interest and importance, it seems likely that we should see it as an off-shoot of, rather than as a rival to, Christian Greek culture. In short, just as it seems unlikely that either a man from Samosata or a ruler of Palmyra could have seen himself as in any

sense representative of the “Orient” as against the Graeco-Roman world, so there is very little to indicate that such a claim would have evoked any response in Roman Syria. More particularly, the most we could claim from parallel and later evidence for the church at Antioch is that in the third century it may have begun to penetrate to the non-Hellenised strata of the population.

These considerations must tend to call in question certain presuppositions from which the events of the 260s and 270s have been approached. That done, it is time to consider the course of these events themselves.

Palmyra and Antioch

If we turn from the complex and elusive questions of the cultural background to the more immediate and concrete political setting, the primary question is chronological—when did Palmyrene control of Antioch begin?

The relevant events begin with the capture of Valerian in 259/60 by Shapur I, and the subsequent capture of Antioch.⁸⁷ After this campaign Shapur retired, attacked en route by Odenathus of Palmyra.⁸⁸ At the same time there came the proclamation as *Augusti* of Macrianus and Quietus by their father, Macrianus, and the praetorian prefect Ballista (Callistus).⁸⁹ All that is necessary to note in the present context is that their regime lasted at least until 261 (as revealed, for instance, in a papyrus dated to 17 May in their second joint consulate and first Egyptian year, so 261).⁹⁰ Macrianus advanced into Europe and was defeated by Gallienus. Quietus was defeated by Odenathus. It is important to note that our admittedly scanty sources say that the victory took place at Emesa.⁹¹ Was the Palmyrene presence on the upper Orontes at this moment followed by either a physical occupation or an effective overlordship of the cities of Roman Syria? Documentary evidence shows that by 258 Odenathus had the title *hypatikos* (consular)—but this does not (as has been claimed) serve to prove that he was governor of Syria-Phoenice.⁹² In about 260 he is alleged (see below) to have received the title *corrector totius Orientis* (“controller” or perhaps “restorer of the entire East”) from Gallienus, and almost certainly assumed rather than was given that of “king of kings.” The available evidence on his movements and activities shows, however, nothing further concerned with the Roman province, but rather two invasions of Mesopotamia, reaching to Ctesiphon.⁹³ He is first heard of in Roman Syria again at the moment of his murder,

again at Emesa,⁹⁴ which took place in 267/8.⁹⁵ During this period it is notable that the mint of Antioch continues to produce coins for Gallienus from 263 up to the moment of his death in 268, and for Claudius up to 269; the coinage provides no suggestion of the detachment of Syria from the Roman Empire up to this time.⁹⁶ Confirmation both of normal minting at Antioch up to 269 and of unsettled circumstances immediately after that is provided by a hoard from near Bogazköy which includes 87 coins of Gallienus, and 427 of Claudius minted at Antioch.⁹⁷

The same story is told by both the literary sources and the documentary evidence on titulature. Vabalathus began by assuming the titles, *corrector* (see below) and “king of kings.” In 270 he advanced to *consul*, *dux Romanorum*, and *Imperator*, though acknowledging Aurelian as *Augustus*. His own proclamation as “Augustus” came after August 271, when Zenobia appears without the title “Augusta” on an inscription from Palmyra.⁹⁸ The coinage of Antioch confirms that it did not come until the spring of 272, almost at the very moment of Aurelian’s reconquest.⁹⁹

The decisive break, however, and the Palmyrene occupation of Syria, had clearly happened before this. Exactly how soon, it is not easy to say. Zosimus portrays Aurelian, after the Danubian campaign of his first year (270),¹⁰⁰ reckoning with the Palmyrene occupation both of Egypt and of all Asia Minor up to Ankara.¹⁰¹ Earlier, Zosimus places the invasion of Egypt under Claudius (268–70) and says that Syrian troops were used for it;¹⁰² this squares with the evidence of Malalas (299, 4) that Zenobia took Arabia from the Romans under Claudius. The Egyptian evidence shows the invasion coming in the regime of the prefect Probus in 269/70;¹⁰³ papyri and Alexandrian coins suggest that the actual capture of the city did not take place until the end of 270.¹⁰⁴ This agrees absolutely with the fact that the offerings the Palmyrenes made at the shrine of Aphrodite at Aphaca, between Baalbek and Byblos, were presented only a year before their final disaster in 272,¹⁰⁵ and that the inscription of Zenobia from near Byblos calls her “Augusta,” and therefore seems to belong in the latest period, probably 272.¹⁰⁶

From this evidence it is not inconceivable that the Palmyrene drive south-west, through Arabia to Egypt, came before the occupation of northern Syria. It is possible that Antioch was not occupied until 270; none of our evidence firmly indicates any earlier date.¹⁰⁷ We must accept that Emesa was firmly within the Palmyrene sphere of control

through the 260s; but the territory of Emesa bordered that of Palmyra itself, and the two cities had close cultural ties.¹⁰⁸ Have we any evidence to suggest the existence of a wider sphere of Palmyrene influence throughout this period?

Firstly, we have the title which is alleged to have been held by Odenathus from about 260, and inherited by Vabalathus in 267/8, namely *corrector totius Orientis*.¹⁰⁹ If genuine, such an expression might indeed give some justification for the notion of an active Palmyrene patronage in Syrian cities. But nothing in our documentary evidence justifies the supposition of such a Latin title. The documents show that Odenathus had the title MTQNN' DY MDNH' KLH.¹¹⁰ MTQNN' could be the equivalent of *Restitutor* (restorer) just as well as of *Corrector*.¹¹¹ The strict equivalent of *Corrector* appears only in an inscription of Vabalathus,¹¹² where he is called 'PNRTT' DY MDYTH KLH, where 'PNRTT' is certainly a transcription of the Greek *epanorth* ἑπανόρθωσις. The two expressions are not necessarily identical in meaning. In any case the expression which follows here—MDYTH—is the equivalent of *polis* or “*provincia*.” Even granted that KLH means “whole” or “every,” we have still no indication of how wide was the geographical area concerned, still less any justification for assuming an equivalence and translating Odenathus' title as *corrector totius Orientis*. On the contrary, Zosimus, in his detailed and circumstantial narrative, has an anecdote of the Palmyrenes, evidently during their apogee in 270–71, enquiring of Apollo at Seleucia “whether they would obtain the domination of the East.”¹¹³

The literary sources provide no firmer basis for supposing any established Palmyrene hegemony over any of the eastern Roman provinces. Zosimus and Zonaras state no more than that Gallienus gave Odenathus a major military role against Persia.¹¹⁴ Eutropius and Orosius, for what they are worth on a precise point, imply that Zenobia's wider ambitions post-dated the murder of her husband.¹¹⁵ In fact, the notion of a general rule of the East by Odenathus depends fundamentally on a number of grandiose generalizations in the *Historia Augusta*¹¹⁶—which also states, falsely, that Gallienus awarded him the title “Augustus.”¹¹⁷

That Palmyra or its rulers exercised any real influence in Antioch before about 270 thus remains a pure speculation unsupported by any reliable concrete evidence. On the other hand, we do have the testimony of Zosimus to the fact that when Aurelian retook Antioch in 272 there was a pro-Palmyrene group there which was preparing to

flee in terror until the Emperor issued an edict of amnesty;¹¹⁸ and, on the other side, Jerome records the name of an apparently Antiochene commander who fought at the battle of Immae against Zenobia.¹¹⁹ These statements certainly make it reasonable to ask whether the career of a controversial figure in Antioch at this time can be explained in terms of divided political loyalties. Whether this was so in the case of Paul must depend on a detailed examination of the evidence about him.

Paul in Antioch

By far our most reliable and valuable evidence comes from book 7 of Eusebius' *Ecclesiastical History*, which gives substantial excerpts from the letter sent by the synod which deposed Paul, addressed to Dionysius, bishop of Rome, and Maximus, bishop of Alexandria. It is noteworthy that both in his own remarks and in his choice of excerpts Eusebius concentrates (conveniently for our purposes) on the externals of Paul's conduct, and is almost entirely silent on the precise heresies as to the nature of Christ of which he was held guilty. For Paul's views—he affirmed the unity of God and the Word (using the term *homoousios*) and denied the divinity of Christ—we have to rely on late reports and quotations of the dialogue between himself and Malchion (see below) at his examination.¹²⁰ Eusebius' delicacy on this point can hardly be unrelated to the fact of his own involvement with Arianism;¹²¹ that the historical connection between Paul's doctrines and Arianism has sometimes been denied by modern scholars is less relevant than the fact that it was vigorously asserted by a contemporary, Peter, bishop of Alexandria.¹²²

The chronological framework is crucial to our understanding of the career. Firstly, Eusebius (*HE* 7, 27, 1) records the election of Dionysius to succeed the martyred Xystus as bishop of Rome: Xystus was executed on 6 August 258,¹²³ and Dionysius was consecrated on 22 July 259 or 260.¹²⁴ In the next sentence Eusebius gives the death of the bishop Demetrianus at Antioch, and his succession by Paul; a later legend, too readily believed, relates that Demetrianus was in fact carried into captivity by Shapur.¹²⁵ Jerome's *Chronicle* places the election of Paul in 261.¹²⁶ Paul's heretical tendencies were evidently not long in showing themselves, for a synod convened to consider them some three or four years later. The approximate date can be confidently established: among the bishops invited was Dionysius of Alexandria, who excused himself on the grounds of age and

feebleness, and wrote a letter exposing Paul's errors, but then "at that time [he] died, in the twelfth year of Gallienus" (263/4 or 264/5).¹²⁷ There is no reason to doubt that the synod took place in about 264. The upshot of the synod was a promise by Paul, not fulfilled, to abandon his errors.¹²⁸

The date of the decisive synod is more difficult to establish. In *HE* 7, 28, 4, Eusebius records together the death of Gallienus (268), the reign of Claudius, and the accession of Aurelian (270). He then passes on, with the expression "at that [i.e., time]," to the affair of Paul (7, 29, 1). Various converging items of evidence combine, however, to suggest that the synod in fact took place over the winter of 268/9.¹²⁹ Jerome's *Chronicle*¹³⁰ places the deposition of Paul in the year before the 262nd Olympiad (269), and this date is reflected also in Zonaras, who makes the episode approximately contemporary with the death of Gallienus.¹³¹ In the declaration against Nestorius posted up at Constantinople in 428/9, Eusebius, the later bishop of Dorylaeum, referred to the excommunication of Paul 160 years before¹³²—so, if taken precisely, 268/9. The letter of the synod itself contains two clues. It is addressed to Dionysius, bishop of Rome, who died on 26 or 27 December 268.¹³³ It may be that the letter of the synod arrived after his death; for though the surviving letter of his successor, Felix, addressed to Maximus of Alexandria on precisely the point at issue, the divinity of Christ, is generally regarded as an Apollinarist forgery, it may have replaced a genuine original letter.¹³⁴ Secondly, the letter refers (30, 5) to the fact that Firmilian, bishop of Caesarea in Cappadocia, died at Tarsos on his way to Antioch, at a moment when the other participants had arrived and were waiting for him; according to the Greek calendar his death took place on 28 October.¹³⁵ The date of the synod can therefore be fixed with considerable precision and with no real room for doubt.

The central element in the view that connects the career of Paul with the wider political history of his time is a passage in Eusebius' quotation of the synodal letter.¹³⁶ The bishops state that Paul came from an impoverished family but had made himself rich through extortion in his bishopric—"by means of lawless deeds and sacrilegious plundering and extortions from brethren by threats . . . making the service of God [*theosebeia*] a source of profit." Then comes the key phrase—"he sets his mind on high things and is lifted up, clothing himself in worldly goods and wishing to be called *ducenarius* [see below] rather than bishop." The letter continues by describing

the public role to which these aspirations led him—parading across the market-places, reading letters and answering them as he went, with a numerous bodyguard, some marching in front and some behind, so that his pomp and pride made the faith an object of envy and hatred; in meetings of the church he devised various means to impress the simple-minded—“arranging for himself a tribunal [*bēma*] and a high throne . . . and having a *sēkrēton* [audience chamber; see text to n. 152 below] and calling it that, like worldly rulers.”

The term *ducenarius* was a well-established expression, deriving from the level of salary, for a high-ranking imperial *procurator*.¹³⁷ We find it used in a letter of Cyprian and his fellow bishops to the congregation of Emerita—“proceedings taking place in public before the *procurator ducenarius*.”¹³⁸ As used in Antioch, it could in normal times only have referred to the *procurator* of the province of Syria Coele.¹³⁹ Like the parallel term *centenarius* (a procurator with a salary of 100,000 sesterces per annum),¹⁴⁰ however, it is also attested in use at Palmyra, being one of the many titles of a prominent Palmyrene, Septimius Vorodes.¹⁴¹ Moreover, but for a crucial textual difficulty, there would be confirmation from Cyprian for the notion that bishops might combine with their office the holding of an imperial procuratorship. In his *On Those Who Lapsed*, 6, Cyprian writes: “The bishops . . . spurning a divine procuratorship, become procurators of worldly kings [so SW; of worldly affairs, R], neglecting their episcopal thrones and deserting the people.”

The logic of the passage seems to demand the reading “affairs”; there is nothing else in it which refers in any way to the emperors, and the other activities of the delinquent bishops seem to represent entirely private profiteering. This evidence can therefore not be adduced in support.

Moreover, whatever interpretation is given to the crucial passage of the synodal letter, one thing is clear—namely, that it contains no reference to Palmyra or its rulers. This may now seem hardly surprising for, as we have seen (text to nn. 109–18 above), it was written before the period from which we have any evidence of a Palmyrene military presence in Antioch, and in a period when no other evidence proves a general Palmyrene patronage of the Syrian cities. None the less, the connection with Palmyra, missing in the letter, is duly supplied by later Christian sources. Tabulated in chronological order, they are as follows:¹⁴²

1. Athanasius, *Historia Arianorum* 71, 1: “Zenobia was a Jew and she patronised Paul of Samosata” (c. 358). (Cf. also the fragment, possibly of Athanasius, in PG XXVI, 1293.)

2. Filastrius, *Diversarum haereseon liber*, 36/64 (CSEL XXXVIII, 33; CCL IX, 244): “He preached that Christ was a just man, not a real God . . . hence he himself also taught Zenobia, at that time a queen [*regina*] in the East, to become a Jew” (385–91).

3. John Chrysostom, *Hom. 8 in Joannem* (PG LIX, col. 66): “For not unwittingly, but knowing full well, he transgressed, suffering the same thing as the Jews. For like the latter, who looking to men gave up the soundness of the faith, although on the one hand, knowing that he is the sole begotten son of God, on the other hand, not acknowledging this because of their rulers, lest they be expelled from the synagogues. In the same way, they say, also this man [i.e., Paul] wishing to ingratiate himself with a certain woman, gave up his own salvation” (391).

4. Theodoret, *Haereticarum fabularum compendium* 2, 8 (PG LXXXIII, col. 393): “While Zenobia was ruling that region (for the Persians having defeated the Romans, handed to her the rule over Syria and Phoenicia), he [Paul] drifted into the heresy of Artemon, believing that in this way he would flatter her who believed in what the Jews do” (c. 453).

All of these passages bring in, in one form or another, a tendentious reference to Judaism. This is not surprising, for there was a clear resemblance between Jewish belief and Paul’s teaching—and Epiphanius in the *Panarion* (while making no reference to Zenobia) says that the *Paulianistae* differ from the Jews only in not observing the Sabbath or circumcision.¹⁴³ On the other hand there is a separate account, apparently not related to the tradition about Paul, of the Judaising tendencies of Zenobia. This appears in some remarks made about Longinus by Photius¹⁴⁴—“she also converted from her Greek superstition to the customs of the Jews, as an old source writes.” Even of this there is very little confirmatory evidence: the Talmud has one anecdote of an appeal by Jewish elders to Zenobia, but the attitude expressed there is otherwise hostile.¹⁴⁵ On the other hand an inscription in Latin from Egypt does show a *regina* and *rex*, evidently Zenobia and Vabalathus, confirming a Ptolemaic grant of right of asylum to a synagogue.¹⁴⁶

The most extreme version of the story, though the earliest attested, that Zenobia was herself Jewish can be firmly discounted. It is true

that we find an indubitably Jewish Zenobius on a Palmyrene inscription of A.D. 212.¹⁴⁷ But the name is common in Palmyra, and a more probable candidate for relationship to Zenobia would be the Iulius Aurelius Zenobius whom we find exercising important functions during the visit of Severus Alexander in 231.¹⁴⁸ Jewish sources show no awareness that Zenobia was Jewish, and the possibility is of course incompatible with the much better attested claim that she had leanings towards Judaism. This in its turn, though it has little positive support (see above), is not impossible. There is fairly substantial evidence for a Jewish community in Palmyra.¹⁴⁹ Her possible favour to Judaism combined with the nature of Paul's doctrines *may* explain how the story of their connection arose. But we can also discount the version of Theodoret and Chrysostom, that the desire to please Zenobia was the *cause* of Paul's lapse into heresy. Paul was already accused of heresy in about 264, Zenobia only became prominent (so far as we know) after the death of her husband in 267/8, and the Palmyrenes perhaps entered Antioch only in 270. At the most then, her patronage of Paul may have begun in the period after the synod, when Paul clung on obstinately in the church house.¹⁵⁰ We cannot actually disprove the third version of the story, that of Filastrius, that Paul influenced Zenobia in the direction of Judaism.

What then of Paul's procuratorship? A closer look will show it to be a fantasy. The whole sense of the passage in the synodal letter is that Paul as bishop modelled his style and public appearances after those of imperial officials—"wishing to be called *ducenarius* rather than bishop," "*arranging for himself* a tribunal and high throne" (probably modelled on a governor's tribunal and seat, though even normal bishops had something of the sort),¹⁵¹ "having a *secretum*, and *calling it that*, like worldly rulers" (the reference must be to what is normally called the *secretarium* of a governor, the audience chamber where a number of attested trials of martyrs took place).¹⁵² Everything that is said of the improper activities of Paul relates to the life of the Christian congregation—extorting money from *the brethren*, making the *service of God* a source of profit, organizing spectacles *in the assemblies of the church*, insulting those who received his words without excessive enthusiasm *as was fitting in a house of God*. The worthy bishops would have been surprised to know how long and undeserved a life their words have given to "Paul of Samosata, the *ducenarius* of Zenobia."

The political history of his time will therefore explain neither the rise of Paul of Samosata nor his formal deposition. Whether it helps to explain his refusal to leave the church house and his opponents' successful appeal to Aurelian, it is more difficult to say. At first sight it seems an obvious supposition that he clung on until Aurelian entered Antioch in 272, whereupon the loyalist party petitioned the Emperor and had him ejected; as was mentioned above (text to n. 118), we even know that there were then Palmyrene supporters in the city, whose fears Aurelian had to still, and also loyalists who aided the Roman forces.

But it must be noted that there are three separate problems here. The first concerns the motivation of the appeal to the Emperor; almost all that has been written about this episode has assumed almost unconsciously that only exceptional circumstances—or, more precisely, an immediate political situation such as that imagined here—would serve to explain how such an appeal could have been made. Secondly, there is the question of chronology; how and when did the appeal reach Aurelian, who assumed power probably in the summer of 270 and did not reach Antioch until 272? Thirdly, there is the favourable response by Aurelian, and the remarkable terms in which it was expressed. The first thing is to set out the brief couple of sentences of Eusebius (7, 30, 19) which are our sole evidence for these proceedings. After concluding his extracts from the synodal letter, and mentioning the deposition of Paul and the election in his place of Domnus, Eusebius continues:

But as Paul refused on any account to give up possession of the house of the church, the emperor Aurelian on being petitioned, gave an extremely just decision regarding the matter, ordering the assignment of the house to those with whom the bishops of the doctrine in Italy and Rome would communicate in writing. Thus, then, was the aforesaid man driven with the utmost indignity from the church by the ruler of the world. (based on the Loeb translation)

Even the most immediate character of the situation is not easy to grasp. What was “the house of the church”? We can suppose that it bore some resemblance to the private house at Dura-Europos, converted for use in Christian services.¹⁵³ Moreover, there is no doubt that by the end of the third century Christian communities generally possessed a regular meeting place, variously called *oikos ekklēsias*, *kyriakon*, or *proseuktērion*. There does not appear, however, to be good evidence from this period that it was ever combined with an

actual episcopal residence.¹⁵⁴ One must suppose rather that Paul continued to perform services there, perhaps with the support of a part of the congregation.

Hence the appeal to the Emperor. It is crucial to our understanding of both the Roman Empire, and of the place of the church within it, to realize that we do not *have* to find exceptional political circumstances to explain recourse to the emperor as arbiter. For an immense mass of evidence shows us that individuals and communities saw the giving of justice as a primary function of the emperor, just as they had of the Hellenistic monarchs who preceded them.¹⁵⁵ Even if we confine ourselves to Syrian evidence alone, we may note, firstly, the inscription which contains a series of appeals to rulers from the temple community of Baetocaece, stretching from probably the third century B.C. to A.D. 258/9.¹⁵⁶ Then we have the words of an orator addressing Caracalla in Antioch in 216, on the subject of the priesthood of the temple at Dmeir: "There is a famous temple of Zeus among them, famous indeed among all the people of the area . . . they frequent it and conduct processions to it. The first wrong done by our adversary . . . he benefits from freedom from [taxation and?] liturgies, wears a gold crown, [enjoys precedence?], wields a sceptre and has proclaimed himself priest of Zeus. How he gained such a privilege I shall show."¹⁵⁷ The close resemblance to what will have been said to Aurelian about Paul of Samosata needs no stressing. It does not follow of itself that a Christian community could have come easily to make such a claim before a pagan emperor. But the groundwork for such an advance had in fact long been prepared. For just about a century before the case of Paul arose, we find Theophilus, bishop of Antioch, discussing the Christian view of the emperor.¹⁵⁸ Why do the Christians not worship the emperor? Because he is not a god, but a man, appointed by God, not to receive homage, but to give judgment rightly.

It must be remembered that Gallienus' edict of toleration was by now about a decade old. There was on the face of it nothing to stop the increasingly settled and well-established church from taking its place with other institutions in the life of the Empire. The moral had indeed been drawn immediately after the edict. For Eusebius reproduces a rescript (*antigraph* ^ε) of Gallienus, written in answer to a request from the bishops of Egypt for recovery of church property there; in the same paragraph he mentions what was evidently another rescript to a different group of local bishops concerning the recovery

of Christian cemeteries.¹⁵⁹

It was therefore only a relatively small further step that the congregation of Antioch should address themselves to the Emperor for help in recovering their church house from an impudent heretic. To do so they did not necessarily have to wait until the Emperor was in the locality. We have no reason to think that Gallienus ever visited Egypt, and the likelihood is that the Egyptian churches—like innumerable associations or cities before them—sent a delegation to him.

What then was the sequence of events leading to the deposition of Paul? Nothing in the admittedly extremely brief narrative of Eusebius prepares us for the possibility that a period of three and a half years passed, with Paul in illegal possession of the church house until Aurelian arrived in person in Antioch. Moreover, Eusebius mentions the succession of Timaeus to Domnus, Paul's successor, as bishop of Antioch, quite separately from the affair of Paul—and Jerome puts Timaeus' consecration precisely in 272, and before the reconquest by Aurelian, which he puts in 273.¹⁶⁰ So it is equally possible that after the conclusion of the synod—whose letter was written, at the latest, before news of the death of Dionysius of Rome in December 268 had arrived, and possibly as early as November of that year (see text to n. 133 above)—the Antiochene congregation responded more urgently to Paul's obduracy, and, perhaps some time in 269, despatched a delegation to the Emperor.

The evidence of the early Constantinian period suggests that it normally took several months from the issuing of an imperial reply to its arrival in a provincial city.¹⁶¹ Similarly, though here our information is less precise, it will have taken a comparable period for a delegation to reach the emperor wherever he happened to be, to gain an audience, and to receive an answer.¹⁶² These were, it hardly needs to be said, troubled times. Claudius was mainly engaged in combating barbarian invasions in central and eastern Europe up to the moment of his death at Sirmium, which certainly took place later than 10 December 269,¹⁶³ and seems now not to have been until summer, 270.¹⁶⁴ It would not be in the least surprising if, for one reason or another, no imperial reply was forthcoming until given by Aurelian; the occasion could have been any moment from the very beginning of his reign onwards.

Even if, therefore, we suppose that the reply was not given in the context of the reconquest of 272, would it not still have been influenced by political considerations? It is certainly very difficult, but

not absolutely impossible (text to n. 99 above), to argue that it could have been given by Aurelian in ignorance of the Palmyrene occupation of Syria. None the less, it is notable that the indication given by Eusebius of its terms contains no reference to Palmyra. It is possible to *interpret* the description of the orthodox party—"those with whom the bishops of Rome and Italy were in communication"—as a veiled reference to their loyalty to Rome. But it cannot be emphasised too strongly that, *as it stands*, the definition is strictly ecclesiastical. How then did Aurelian arrive at this remarkable formulation? Two hypotheses, not incompatible, are possible. The first is that it is quite evident from a number of examples of imperial letters that emperors in formulating a response very often took the passive course of following closely the wording of the request presented to them.¹⁶⁵ Thus Aurelian may well have taken over a description which the orthodox party gave to themselves. The second is that, whether or not the delegation was finally heard in Italy, or Rome itself, it may have been actively supported by bishops from there. For what it is worth, Zosimus, our only more or less coherent narrative source, shows Aurelian setting out from Rome at the beginning of his reign, going to Aquileia, then to Pannonia, and subsequently returning to Italy.¹⁶⁶ The delegation from Antioch could well have obtained a hearing somewhere in Italy before or after these campaigns.

All this, however, remains a hypothesis. Aurelian's decision *may* well not have come until 272, and in either case the formulation of it *may* have related to divisions in the Antiochene church, which themselves reflected political allegiance to Rome or to Palmyra. All that can be asserted is that, if we set what we are actually told by someone relatively close to the event against the wider background of what we know of the nature of the Roman Empire, then we do not need an explanation in terms of contemporary politics for either the appeal to Aurelian or his reply. The relevance of these considerations to the early contacts of the church and Constantine need not be stressed.

Paul's Heresy and Local Culture?

As so often, the effect of examining and dismissing large-scale assumptions which have been too hastily accepted is only to replace them with more precise doubts and questions. For all that is argued above, can we really be sure that the story of Paul does not reveal the suppression of a strain of local belief and liturgical practice by the

prevailing orthodoxy of the Greek church? We must note, for instance, that among his opponents were men of established reputation in contemporary pagan Greek culture. His principal Antiochene opponent, the presbyter Malchion, was a learned man who was (apparently) the chief teacher of rhetoric at Antioch;¹⁶⁷ while among those who came to Antioch to examine his case was Anatolius from Alexandria, a student of arithmetic, geometry, astronomy, physics, and rhetoric, who was successively head of the Aristotelian school at Alexandria and bishop of Laodicea.¹⁶⁸

On the other side, the resemblance between Paul's view of Christ and Jewish belief was (as noted above, text to nn. 147–50) unmistakable. We cannot *prove* that Paul was not influenced by members of the substantial Jewish community in Antioch;¹⁶⁹ the example of Origen at Caesarea shows that learned discussions between Jews and Christians were still possible.¹⁷⁰ It may be noted that two Antiochene Christians of the generation after Paul, the presbyter Dorotheus¹⁷¹ and the important theologian and biblical scholar, Lucian of Antioch,¹⁷² are both attested as having had a profound knowledge of Hebrew. But whatever was said in later Christian literature about the Judaising tendencies of Paul or his followers, this particular line of attack was not used, so far as we know, by his contemporaries. On the contrary, they clearly regarded his heresy as a revival of that of Artemon (or Artemas);¹⁷³ of the latter nothing is known, though a phrase in the synodal letter appears to imply that he was still alive. What is clear is that the Adoptianist heresy here referred to is (rather obscurely) described by Eusebius as having originated in Rome in the late second century under the impulse of one Theodotus of Byzantium.¹⁷⁴ If there is a “local” element in the nature of Paul's heresy, it is rather, perhaps, to be found in its resemblance to that of Beryllus of Bostra, who thought that Christ did not pre-exist his birth and had no divinity except that of the Father dwelling in him—and was duly corrected by an assembly of bishops, assisted by Origen, in about 238–44.¹⁷⁵

Some claims for a local origin can be advanced for some of the innovations of Paul in liturgy and church practise. The synodal letter speaks of “the females introduced into his house, as the Antiochians call them”;¹⁷⁶ the reference is to *virgines subintroductae*, that is (in theory), women living with priests without sexual relations. It is sometimes suggested that this was a distinctively Syrian form of asceticism.¹⁷⁷ But the practice, with its associated scandals, is clearly

attested a few years earlier in Africa.¹⁷⁸ Paul also had a chorus of women who sang psalms specially composed in honour of himself—and were alleged to proclaim that he was in fact an angel who had descended from heaven.¹⁷⁹ Here one can only note, for lack of detail in the account of Paul, that other evidence indicates a particularly rich tradition of hymn composition in Syriac, beginning with Bardesanes and his son Harmonius (see text to nn. 28–33 above), and the hymns incorporated in the *Acts of Thomas*.¹⁸⁰ It is at least a reasonable speculation that Paul's compositions were related to this tradition.

These indications of specifically Syrian deviations in the belief and practice of Paul of Samosata are no more than hints (though often claimed as something more definite than that).¹⁸¹ But they may serve to remind us of just how little we really understand. We can define some of the elements in the endlessly complex culture of the Fertile Crescent in the Roman period, and accept the impossibility of making simple deductions from culture to political attitudes; we can confidently dismiss from the history books the monstrous figure of “Paul of Samosata, the *ducenarius* of Zenobia”; we can see that we do not necessarily need to look to the expansion of Palmyrene power in order to explain why the orthodox party in Antioch could appeal to a pagan emperor. But we still are a long way from understanding the nature of the wider Aramaic-Greek culture of Syria and Mesopotamia, and how it affected the attitudes and beliefs of those who grew up in it.

Notes

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1. See Philostratus, *Vit. Ap. Ty.* 1, 20, for Apollonius' famous confrontation with the customs official at Zeugma. The only evidence known to me of the frontier actually preventing movement comes in Jerome, *Vita Malchi* 3 (*PL* XXIII, 54), where Malchus, from Nisibis, relates that (sometime in the first half of the fourth century) “because I could not go to the east, because of neighbouring Persia and the Roman military guard, I turned my feet to the west.”

2. Note Herod's establishment of a colony of Babylonian Jews in Batanea for the protection of caravans of pilgrims coming from Babylonia to Jerusalem. Jos., *Ant.* 17, 23–31; *Vita*, 54–61.

3. For visitors from Mesopotamia, see J. Jeremias, *Jerusalem in the Time of Jesus* (1969), 66–67, and for the cultural and personal relations of the two communities the successive volumes by J. Neusner, *A History of the Jews in Babylonia I: The Parthian Period*² (1969); II: *The Early Sasanian Period* (1966); III: *From Shapur I to Shapur II* (1968); IV: *The Age of Shapur II* (1969); V: *Later Sasanian Times* (1970).

4. Lucian, *de a Syria* 13, 32. See text to n. 59 below.

5. J. B. Ward-Perkins, “The Roman West and the Parthian East,” *Proc. Brit. Acad.* 51 (1965): 175; “Frontiere politiche e frontiere culturali,” *La Persia e il mondo greco-romano*, Acc. Naz. dei Lincei, anno 363, quad. 7 (1966): 395.

6. See the remarks by P. Brown, “The Diffusion of Manichaeism in the Roman Empire,” *JRS* 59 (1969): 92.

7. Eusebius, *HE* 7, 27–30.

8. G. Bardy, *Paul de Samosate: étude historique*², *Spicilegium Sacrum Lovaniense* IV (1929); note, however, the more cautious view of Paul in G. Bardy, *La question des langues dans l’église ancienne* (1948), 19.

9. G. Downey, *A History of Antioch in Syria from Seleucus to the Arab Conquest* (1961), 263–64, 310–15.

10. F. Loofs, *Paulus von Samosata; eine Untersuchung zur altchristlichen Literatur und Dogmengeschichte, Texte und Untersuchungen* XLIV, 5 (1924), esp. 34.

11. *CAH* XII, 178, n. 1: “The political connections of Zenobia with Bishop Paul of Antioch seem to the present writer even less real than to Fr. Loofs.” For the relevance of Alföldi’s classic studies of the coinage in this period, see below text to nn. 89–106 and notes.

12. See, e.g., F. Caspar, *Geschichte des Papsttums* I (1930), 94; J. Lebreton and J. Zeiller, *Histoire de l’Église* II (1935), 345; H. Grégoire, *Les persécutions dans l’Empire romain*² (1964), 57; J. Daniélou and H. Marrou, *Nouvelle histoire de l’Église* I: *des origines à Saint Grégoire le Grand* (1963), 247; W. H. C. Frend, *Martyrdom and Persecution* (1965), 443–44; B. Altaner and A. Stuiber, *Patrologie*⁷ (1966), 214; H. Chadwick, *The Early Church* (1967), 114–15.

13. For the parallel case of North Africa, see the contrasted treatments by F. Millar, “Local Cultures in the Roman Empire: Libyan, Punic and Latin in Roman Africa,” *JRS* 58 (1968): 126 (= chapter 12 of F. Millar, *Rome, the Greek World, and the East* II: *Government, Society, and Culture in the Roman Empire*), and P. Brown, “Christianity and

Local Culture in Late Roman Africa,” *JRS* 58 (1968): 85.

14. For a cautious and useful survey of this question in another region, see R. MacMullen, “Nationalism in Roman Egypt,” *Aegyptus* 44 (1964): 179.

15. See the brilliant survey by E. Bickerman, “The Seleucids and the Achaemenids,” *Persia e il mondo greco-romano* (n. 5), 87; P. Bernard, “Aï Khanum on the Oxus: A Hellenistic City in Central Asia,” *Proc. Brit. Acad.* 53 (1967): 71; L. Robert, “De Delphes à l’Oxus. Inscriptions grecques nouvelles de la Bactriane,” *CRAI* (1968): 416; and in general D. Schlumberger, *L’Orient hellénisé* (1970).

16. See M. Hengel, *Judentum und Hellenismus: Studien zu ihrer Begegnung unter besonderer Berücksichtigung Palästinas bis zur Mitte des 2. Jh. v. Chr.* (1969), and F. Millar, “The Background to the Maccabean Revolution: Reflections on Martin Hengel’s ‘Judaism and Hellenism,’” *Journal of Jewish Studies* 29 (1978): 1–21 (= chapter 4 of the present volume).

17. The evidence, from a variety of periods, is collected by J. N. Sevenster, *Do You Know Greek? How Much Greek Could the First Jewish Christians Have Known?* (1968).

18. Mishnah, *Abodah Zarah*, 3:4 (ed. Danby, 440). On the more permissive attitude to representational art which developed in the second and third centuries, see, e.g., C. H. Kraeling, *The Excavations at Dura Europos, Final Report VIII, I: The Synagogue* (1956), 340–46; E. E. Urbach, “The Rabbinical Laws of Idolatry in the Second and Third Centuries in the Light of Archaeological and Historical Facts,” *IEJ* 9 (1959): 149, 229.

19. See G. W. Bowersock, “The Annexation and Initial Garrison of Arabia,” *ZPE* 5 (1970): 37.

20. See the excellent survey of J. Starcky, “Pétra et la Nabatène,” *Dictionnaire de la Bible, Supp.* VII (1966), 886–1017, esp. 921.

21. See N. Lewis, *The Documents from the Bar Kokhba Period in the Cave of Letters: Greek Papyri* (1989); Y. Yadin, J. C. Greenfield, A. Yardeni, and B. Levine, *The Documents from the Bar Kokhba Period in the Cave of Letters: Hebrew, Aramaic and Nabatean Aramaic Papyri* (2002), with H. M. Cotton, “The Languages of the Legal and Administrative Documents from the Judean Desert,” *ZPE* 125 (1999): 219–31.

22. For the Greek colonies and cities of Mesopotamia, see, e.g., A. H. M. Jones, *Cities of the Eastern Roman Provinces*² (1971), chap. IX; N.

Pigulevskaja, *Les villes de l'état iranien aux époques parthe et sassanide* (1963), esp. chaps. I–IV; M. A. R. Colledge, *The Parthians* (1967), 96–97.

23. For the date of Isidorus of Charax, see S. A. Nodelman, “A Preliminary History of Characene,” *Berytus* 13 (1960): 88, on 107–8.

24. For the text, A. Maricq, “Res Gestae Divi Shaporis,” *Syria* 35 (1958): 295.

25. A. Maricq, “La plus ancienne inscription syriaque; celle de Birecik,” *Syria* 39 (1962): 88; cf. J. Pirenne, “Aux origines de la graphie syriaque,” *Syria* 40 (1963): 101, and E. Jenni, “Die altsyrischen Inschriften, 1–3. Jahrhundert n. Chr.,” *Theologische Zeitschrift* 21 (1965): 371.

26. P. Dura 28, re-edited by J. A. Goldstein, “The Syriac Bill of Sale from Dura-Europos,” *JNES* 25 (1966): 1; cf. H. M. Cotton, W. Cockle, and F. Millar, “The Papyrology of the Roman Near East: A Survey,” *JRS* 85 (1995): no. 160.

27. Ed. L. Hallier, *Texte und Untersuchungen* IX.1 (1892); see 86–87.

28. See H. J. W. Drijvers, *Bardaisan of Edessa* (1966).

29. See J. B. Segal, *Edessa, “The Blessed City”* (1970); see 30–31 for traces of Greek culture there in this period.

30. Epiphanius, *Panarion* 56, 1, 2; cf. Theodoret, *Haereticarum fabularum compendium* 1, 22 (PG LXXXIII, 372), mentioning Syriac only.

31. Sozomenus, *Hist. Eccles.* 3, 16, 5–7; Theodoret (n. 30).

32. Euseb., *HE* 4, 30, 1; Jerome, *de vir. ill.* 33.

33. See J. A. Emerton, “Some Problems of Text and Language in the Odes of Solomon,” *J. Theol. St.* 18 (1967): 372.

34. For surveys, see C. B. Welles, “The Population of Roman Dura,” in *Studies in Roman Economic and Social History in Honor of A. C. Johnson* (1951), 251; G. D. Kilpatrick, “Dura-Europos: The Parchments and the Papyri,” *Greek, Roman and Byzantine Studies* 5 (1964): 215. See also F. Millar, “Dura-Europos under Parthian Rule,” in J. Wiesehöfer, ed., *Das Partherreich und seine Zeugnisse* (Historia-Einzelschrift 122, 1998), 473–92 (= chapter 16 of the present volume).

35. See Kilpatrick (n. 34), 222–24.

36. Compare A. J. Festugière, *La révélation d'Hermès Trismégiste* I (1944), chap. II, “Les prophètes de l'Orient.”

37. *Address to the Greeks*, 42, ed. E. Schwartz, *Texte und Untersuchungen* IV.1 (1888).

38. E.g., A. Vööbus, *Early Versions of the New Testament: Manuscript Studies* (1954), 1; P. Kahle, *The Cairo Geniza*² (1959), 283–84.

39. See A. Maricq, “La province d’Assyrie créée par Trajan,” *Syria* 36 (1959): 254; cf. P. Brown (n. 6), 93.

40. *Philos. Vit. Ap. Ty.* 1, 16.

41. *Philos. Vit. Ap. Ty.* 1, 19.

42. *Strom.* 3, 12/81, 1; see also Theodoret, *Haer. fab. comp.* 1, 20 (PG LXXXIII, 369).

43. *Panarion* 46, 1.

44. Hippolytus, *Elenchus* 7, 31, 1–2.

45. Porphyry, *de abstinencia* 4, 17.

46. See F. K. Dörner and R. Neumann, *Forschungen in Kommagene* (1939); F. K. Dörner and T. Goell, *Arsameia am Nymphaios: Die Ausgrabungen im Hierothesion des Mithridates Kallinikos von 1955–1956* (1963). Cf. F. K. Dörner, *Kommagene, ein wiederentdecktes Königreich*² (1967).

47. *dea Syra* 1: “and I write, being an Assyrian.” *Scyth.* 9: “us Syrians.”

48. Text and English translation (70–76) by W. Cureton, *Spicilegium Syriacum* (1855). Cf. F. Schulthess, “Der Brief des Mara bar Sarapion,” *ZDMG* 51 (1897): 365; R. Duval, *La littérature syriaque*² (1900), 248–50; A. Baumstark, *Geschichte der syrischen Literatur* (1922), 10.

49. See Duval (n. 48), 129.

50. Compare the remarks of R. Syme, “Hadrian and Italica,” *JRS* 54 (1964): 142.

51. See A. Schall, *Studien über griechische Fremdwörter im Syrischen* (1960), 27–128.

52. The writer uses, in the course of providing *exempla*, the names of Polycrates, Achilles, Agamemnon, Priam, Archimedes, Socrates, Pythagoras, Palamedes, and Plato.

53. For a survey, see J. Starcky, *Palmyre* (1952); cf. also le Comte du Mesnil du Buisson, *Les Tessères et les monnaies de Palmyre: un art, une culture et une philosophie grecs dans les moules d’une cité et d’une religion sémitiques* (1962).

54. See A. Caquot, “Sur l’onomastique religieuse de Palmyre,” *Syria*

39 (1962): 231; cf. H. Seyrig in *Syria* 47 (1970): 87–92.

55. *HA*, *Aurel.* 30, 3: “It was regarded as a cruel thing that Longinus the philosopher should have been among those killed. He, it is said, was employed by Zenobia as her teacher in Greek letters, and Aurelian is said to have slain him because he was told that that over-proud letter of hers was dictated in accordance with his counsel, although it was in fact composed in the Syrian tongue” (Loeb translation).

56. *HA* (n. 55); Zosimus 1, 56, 2–3; Photius, *Bib.* 265, 492. Bekker (see below text to n. 144); Syncellus 1, 721 Bonn. For the text of a letter from Longinus written to Porphyry in Sicily (so between c. 267, *Porph.*, *Vit. Plot.* 6, and 272) inviting him to join him in “Phoenicia,” see *Porph.*, *Vit. Plot.* 19. Libanius, *Ep.* 1078 Förster (1998 Wolf), mentions a *logos Oudainathos* of Longinus, presumably a funeral address. Cf. *RE*, s.v. “Longinus.”

57. See A. Stein, “Kallinikos von Petrai,” *Hermes* 58 (1923): 448; J. Schwartz, “Les Palmyréniens en Égypte,” *Bull. Soc. Ant. Alex.* 40 (1953): 63; A. D. E. Cameron in *CQ*, n.s., 17 (1967): 382–83.

58. See A. Dupont-Sommer and L. Robert, *La déesse de Hiéropolis-Castabala, Cilicie* (1964), relating a fourth-century B.C. Aramaic inscription to documents of the classical period.

59. See H. Stocks, “Studien zu Lukians ‘de Syria dea,’” *Berytus* 4 (1937): 1; G. Goossens, *Hiéropolis de Syrie: essai de monographie historique* (1943).

60. For the essentials, see *RAC*, s.v. “Elagabal.”

61. For the *Phoenicica* of Philon of Byblos, see Jacoby *FGrH* 790 F. 1–7; on Sanchuniathon, see *RE*, s.v. “Sanchuniathon,” and M. L. West, *Hesiod, Theogony* (1966), 24–28; cf., e.g., O. Eissfeldt, “Art und Aufbau der phönizischen Geschichte des Philo von Byblos,” *Syria* 33 (1956): 88 = *Kleine Schriften* III (1966), 398. Note especially, on both the survival of Phoenician gods and the work of Philo, le Comte du Mesnil du Buisson, *Études sur les dieux phéniciens hérités par l’Empire romain* (1970).

62. M. Dunand and R. Duru, *Oumm El-’Amed, une ville de l’époque hellénistique aux échelles de Tyre* (1962), no. 1 = H. Donner and W. Röllig, *Kanaan ʾā ische und aram ʾā ische Inschriften*² I–III (1966–69), no. 18.

63. Donner and Röllig (n. 62), no. 12. Compare, however, J. Brian Peckham, *The Development of the Late Phoenician Scripts* (1968), 54.

64. See Peckham (n. 63), 78.

65. *Anth. Pal.* 7, 419, lines 5–8; A. S. F. Gow and D. L. Page, *The Greek Anthology: Hellenistic Epigrams I* (1965), 217: “whom heavenborn Tyre and Gadara’s holy soil reared to manhood and beloved Cos of Meropes tended his old age. If you are Syrian, Salam! If you are Phoenician, Naidios! If you are Greek, Chaire! And say the same yourself!” (Loeb translation).

66. *Suda* 735.

67. Eunapius, *Vit. Soph.* 456.

68. Porphy., *Vit. Plot.* 17: “‘Basileus’ is my [Porphyry’s] name; I am called Malkos in my native tongue, for this name also my father used to call me. And ‘Basileus,’ the translation of Malkos, if anyone wishes to change it into Greek.” Cf. *Vit. Plot.* 20, 21.

69. Cf. J. Bidez, *Vie de Porphyre* (1913), 9–10. I have not, however, found any serious discussion of this question. See F. Millar, “Porphyry: Ethnicity, Language and Alien Wisdom,” in J. Barnes and M. T. Griffin, eds., *Philosophia Togata II: Plato and Aristotle at Rome* (1997), 241–62 (= chapter 13 of the present volume).

70. H. Seyrig, “Monnaies hellénistiques,” *Rev. Num.* 6 (1964): 7, esp. 19–20, 46–47.

71. O. Masson, “Recherches sur les Phéniciens dans le monde hellénistique,” *BCH* 43 (1969): 698.

72. Socrates, *Hist. Eccles.* 6, 11, 3.

73. Photius, *Bib.* 94, (75b), ed. Henry, II, 40.

74. For collections of relevant passages in Christian writers, see C. Charon, “L’origine ethnographique des Melkites,” *Echos d’Orient* 11 (1908): 35, 82; G. Bardy, *La question des langues dans l’église ancienne* (1948), 19–31; A. H. M. Jones, *The Later Roman Empire* (1964), 994.

75. See, e.g., Jerome, *Vita Pauli* 6 (*PL* XXIII, 21); *In Esaiam* 9, 29, 1–8 (*CCL* LXXIII, 370); Theodoret, *Hist. Eccles.* 1, 7, 4; 3, 24, 1; 4, 10, 1; *Hist. Relig.* 13 (*PG* LXXXII, 1400, 1404).

76. For the text, see B. Violet, *Texte und Untersuchungen* XIV, 4 (1896), 4 and 7; cf. H. Delehaye, *Les légendes hagiographiques* (1905), 142ff.

77. *Pereg. Egeriae* 47, 3–4 (*CCL* CLXXV, 89); ed. H. Pétre, *Éthérie, Journal de Voyage, Sources Chrétiennes* 21 (1948), 260–61.

78. Jerome, *Ep.* 108, 29 (*PL* XXII, 905 = *CSEL* LV, 348).

79. Jerome, *Vit. Hil.* 2, 22, 23, 25 (*PL* XXIII 29, 39–41).

80. Marc. Diac., *Vit. Porph.* 66–68, ed. H. Grégoire and M.-A.

Kugener (1930).

81. Jerome, *Vita. Malchi* 2–3 (PL XXIII, 54).

82. That he was a native Aramaic speaker would be an improper deduction from the modesty of his own claim to Greek culture in *Graec. affect. curatio* 5 (PG LXXXIII, 952). But that he understood spoken Aramaic is clear from the incident in *Hist. Relig.* 21 (PG LXXII, 1441); cf. n. 75.

83. John Chrys., *Hom. 19 ad pop. Ant. I* (PG XLIX, 188); cf. *Serm. de mart.* 1 (PG I, 646). On the other hand, *Hom. Matt.* 7, 2 (PG LVII, 74), seems to imply the presence of some Aramaic speakers in his audience, hence in the city.

84. Theod., *Hist. Relig.* 17 (PG LXXXII, 1420, 1424).

85. Note, however, Theodoret's account of a fourth-century monastic foundation near Zeugma where the original group of Greek-speaking monks was soon followed by one of Aramaic-speakers, which was kept separate but had complete parity with the first, in *Hist. Relig.* 5 (PG LXXXII, 1352–57).

86. See Duval (n. 48), 5; Baumstark (n. 48), 58ff.; I. Ortiz di Urbina, *Patrologia Syriaca* (1958), chap. V.

87. The date 259 rather than 260 is argued by S. Lopuszanski, *La date de la capture de Valérien et la chronologie des empereurs gaulois* (1951); cf. Th. Pekáry, “Bemerkungen zur Chronologie des Jahrzehnts 250–60 n. Chr.,” *Historia* 11 (1963): 123, and *PIR*² L 258.

88. The evidence is late—Festus, *Brev.* 23; Jerome, *Chron.*, ed. Helm, 221; *HA, Trig. Tyr.* 15, 1–4; *Vit. Val.* 4, 2–4; Malalas, *Chron.* 297, 4 Dindorf; Syncellus, 716 (Bonn); Zonaras 12, 23; J. Février, *Essai sur l'histoire politique et économique de Palmyre* (1931), 81–84; J. Starcky, *Palmyre* (1952), 53ff. The essential modern treatment of the chronology of Odenathus and Vabalathus and their successive titulatures is D. Schlumberger, “L'inscription d'Hérodiens: remarques sur l'histoire des princes de Palmyre,” *Bull. d'Ét. orient.* 9 (1942–43): 35.

89. For the best account see A. Alföldi, “Die römische Münzprägung und die historischen Ereignisse im Osten zwischen 260 und 270 n. Chr.,” *Berytus* 5 (1938): 47 = *Studien zur Geschichte der Weltkrise des 3. Jahrhunderts nach Christus* (1967), 155.

90. *P. Oxy.* XXXIV 2710.

91. Zon. 12, 24; cf. *HA, Vit. Gall.* 3, 4, and Petrus Petricius, *FHG* IV, 195 = Dio, ed. Boissevain III, 744.

92. *Contra* Schlumberger (n. 88), 48, and J. Starcky (n. 88), 54. The title appears in *IGR* III, 1031 = J. Cantineau, *Inventaire des inscriptions de Palmyre III* (1930), no. 17. Cf. D. Magie, *Roman Rule in Asia Minor* (1950), chap. XXIX, n. 32.

93. See Février (n. 88), 85ff.; Alföldi (n. 89), 76ff. (188ff.).

94. Zosimus 1, 39, 2. Note, however, the variant tradition of Syncellus 1, 716–17 (Bonn), according to which he was killed in Cappadocia on his way to repel a Gothic invasion.

95. Probably between 29 August 267 and 28 August 268, because Alexandrian coins seem to show the fourth year of Vabalathus ending on 28 August 271. See Schlumberger (n. 88), 61.

96. See Alföldi (n. 89), and *CAH* XII, 178–79. Cf. C. Brenot and H.-G. Pflaum, “Les émissions orientales de la fin du III^e siècle après J.-C. à la lumière de deux trésors découverts en Syrie,” *Rev. Num.* 7 (1965): 134; cf. J.-P. Callu, *La politique monétaire des empereurs romains de 238 à 311*, *Bib. Ec. Fr. Ath. Rom.* 214 (1969): 220–21.

97. K. Bittel, “Funde im östlichen Galatien: ein römischer Münzschatz von Devret,” *Ist. Mitt.* 6 (1955): 27.

98. J. Cantineau, *Inventaire* III (1930), no. 20 = *OGIS* 648; see Starcky (n. 88), 58.

99. See Schlumberger (n. 88), and H. Seyrig, “Vabalathus Augustus,” *Mélanges Michalowski* (1966), 659. Note, however, an ostrakon, *O. Mich.* 1006 (*Greek Ostraca in the University of Michigan Collection* III [1935]; see *Michigan Papyri* VIII [1951]), which dates to May–June 271 and describes Aurelian and Athenodorus (Vabalathus) as Augusti.

100. Dated to 270 by A. Alföldi, “Über die Juthungeneinf $\alpha\alpha$ lle unter Aurelian,” *BIAB* 16 (1950): 21 = *Studien zur Geschichte der Weltkrise des 3. Jahrhunderts nach Christus* (1967), 427. But see n. 164 below.

101. Zos. 1, 50, 1.

102. Zos. 1, 44; cf. *HA, Claud.* 2, 1–2. Compare the inscription published by H. Seyrig, *Syria* 31 (1954): 214–17. Originating probably from the Hauran, it refers to the deaths of many persons in Egypt, probably men recruited by Palmyra.

103. See A. Stein, *Die Pr $\alpha\alpha$ fekten von Agypten in der römischen Kaiserzeit* (1950), 148–50.

104. See P. J. Parsons, “A Proclamation of Vaballathus?,” *Chron.*

d'Ég. 42 (1967): 397. See also n. 164 below.

105. Zos. 1, 58.

106. *OGIS* 647 = *IGR* III 1065. On the other hand, the milestone of Vabalathus on the Bostra-Philadelphia road (*AE* 1904, 60) calls him "Im[perator] Caesar" but not "Augustus," and will be a year or two earlier.

107. Perhaps the nearest to concrete evidence available are the two *tesserae* (tokens) of Herodianus and Zenobia which were *probably* found at Antioch, published by H. Seyrig, "Note sur Hérodién, prince de Palmyre," *Syria* 18 (1937): 1. Herodianus should be the Herodes, son of Odenathus, who was killed with his father in 267/8 (*HA*, *Trig. Tyr.* 15–16). But even if the find-spots of the *tesserae* were certain, they are portable objects.

108. See H. Seyrig, "Caractères de l'histoire d'Émèse," *Syria* 36 (1959): 184.

109. See M. Clermont-Ganneau, "Odeinat et Vaballat, rois de Palmyre, et leur titre romain de Corrector," *RB* 29 (1920): 382; Février (n. 88), 99; A. Stein, *Aegyptus* 18 (1938): 234; Schlumberger (n. 88), 42, n. 8.

110. *Inventaire* III 19 (= *CIS* 3946).

111. See J. Cantineau, "Un *Restitutor Orientis* dans les inscriptions de Palmyre," *Journal Asiatique* 222 (1933): 217.

112. See Clermont-Ganneau (n. 109), 394, 398.

113. Zos. 1, 57, 4.

114. Zos. 1, 39, 1; Zon. 12, 24. Cf. Syncellus, 716 (Bonn.): "He was appointed also commander of the East by Gallienus because of this."

115. Eutropius 9, 13, 2: "Zenobia ruled the East after the murder of her husband Odenathus"; Orosius 7, 23, 4: "Zenobia, who after the murder of her husband claimed possession of Syria for herself"; cf. Festus, *Brev.* 24: "For after her husband's death she held *imperium* over the East under the command of a female."

116. *HA*, *Vit. Gall.* 1, 1: "When Odenathus already obtained *imperium* over the East"; 3, 3: "Odenathus became emperor of nearly the whole East"; 10, 1: "Odenathus king of the Palmyrenes obtained *imperium* over the whole East"; *Trig. Tyr.* 14, 1: "Odenatus, who once already held the East."

117. *HA*, *Vit. Gall.* 12, 1.

118. Zos. 1, 51, 3.

119. Jer., *Chron.*, ed. Helm, 222: "In this battle Pompeianus, nicknamed Francus, held command against her. His family survives to this day in Antioch. Eugarius, a priest, most dear to us, is a descendant of his."

120. See H. de Riedmatten, *Les Actes du procès de Paul de Samosate; étude sur la Christologie du IIIe au IVe siècle* (1952).

121. For a survey, D. S. Wallace-Hadrill, *Eusebius of Caesarea* (1960), chap. VI.

122. See the letter of Alexander to his namesake, bishop of Constantinople, Theodoret, *HE* 1, 4, 32–36.

123. Cypr., *Ep.* 80, 1. Cf. L. Duchesne, *Le Liber Pontificalis* I (1955), 155.

124. See Duchesne (n. 123), 157; C. H. Turner, "The Papal Chronology of the Third Century," *J. Th. St.* 17 (1915–16): 338; E. Caspar, *Geschichte des Papsttums* I (1930), 71–72.

125. The tale is given in the Arabic *Chronicle of Seert* (*Patr. Or.* IV, 222–21). See Bardy (n. 8), 241ff., and Downey (n. 9), 309, and M. L. Chaumont, "Les Sassanides et la christianisation de l'Empire iranien au IIIe siècle de notre ère," *Rev. Hist. Rel.* 165 (1964): 165. There is not the slightest reason to prefer such a source to the plain statement of Eusebius.

126. Jerome, *Chron.*, ed. Helm, 220.

127. Euseb., *HE* 7, 27, 2; 28, 3 (cf. 30, 3). For the problem of Gallienus' regnal years, see E. Manni, "Note di epigrafia gallieniana," *Epigraphica* 9 (1947): 113.

128. Euseb., *HE* 7, 30, 4.

129. See Loofs (n. 10), 45ff.; Bardy (n. 8), 296–97.

130. Ed. Helm, 221.

131. Zon. 12, 25.

132. See de Riedmatten (n. 120), 27, 136. For the text, see E. Schwartz, *Acta Conciliorum* I.1.1, para. 18 (p. 101).

133. See O. Bardenwehr, *Geschichte der altkirchlichen Literatur* II (1914), 644–45; cf. C. H. Turner (n. 124), 348–49; L. Duchesne (n. 123), 157.

134. See, e.g., A. von Harnack, *Geschichte der altchristlichen Literatur bis Eusebius* I (1893), 659ff.; cf. J. Quasten, *Patrology* II (1953), 242.

135. See Loofs (n. 10), 50; Bardy (n. 8), 297.

136. *HE* 7, 30, 7–9.

137. See H.-G. Pflaum, *Les procurateurs équestres* (1950), 210ff.; and *Les carrières procuratoriennes* (1960–61), 950–51, with F. Millar’s review in *JRS* 53 (1963): 197–98 (= “The Equestrian Career under the Empire,” chapter 8 in Fergus Millar, *Rome, the Greek World, and the East II: Government, Society, and Culture in the Roman Empire*).

138. *Cypr.*, *Ep.* 67, 6.

139. Pflaum, *Carrières* 1082.

140. See Schlumberger (n. 88), 35–38.

141. *OGIS* 645 = *IGR* III, 1043; *OGIS* 646 = *IGR* III, 1045; *IGR* III, 1044; cf. H. Ingholt, “Inscriptions and Sculptures from Palmyra,” *Berytus* 3 (1936): 93–95.

142. Cf. Loofs (n. 10), 18; Bardy (n. 8), 81ff.

143. Epiphanius, *Panarion*, 65, 2, 5.

144. Photius, *Bib.* 265, ed. Bekker, 492 (see n. 56 above).

145. Jerusalem Talmud, *Terumoth* 8:12 (trans. Schwab., III, 107). See J. Neusner, *A History of the Jews in Babylonia II: The Early Sasanian Period* (1966), 51.

146. *OGIS* 129 = *ILS* 574 = *Corp. Ins. Jud.* 1449 = E. Gabba, *Iscrizioni greche e latine per lo studio della bibbia* (1958), no. 8.

147. Frey, *Corp. Ins. Jud.* II, no. 820.

148. *OGIS* 640 = *IGR* III 1033; cf. *PIR*² I, 196. It is not a fatal objection to this possibility that Zenobia is found with the *nomen* “Septimia,” for this is not attested for Palmyrenes, other than the family of Odenathus, until the 260s; see Schlumberger, *Bull. d’Ét. Or.* 9 (1942–43): 59.

149. See E. Peterson, *ΕΙΣ ΘΕΟΣ* (1926), 24–25; Frey, *Corp. Ins. Jud.* II, pp. 65–73.

150. So, in effect, Loofs (n. 10), 34.

151. Both *thronos* and *b* $\bar{\epsilon}$ *ma* are attested for both civil and ecclesiastical authorities; see E. Stommel, “Bischofsstuhl und Hoher Thron,” *Jahrb. f. Ant. u. Chr.* 1 (1958): 52. And note that very similar *podia* are found at Dura in the Christian building and in the palace of the *Dux*; see C. H. Kraeling, *The Excavations at Dura-Europos, Final Report VIII, 2: The Christian Building* (1967), 142–45. But note L. Robert, *Hellenica* IV (1945), 42–43, on the theme of the governor’s *thronos* and *b* $\bar{\epsilon}$ *ma* in Greek epigrams.

152. Note the trial of the Scillitan martyrs, “in the *secretarium*, in

Carthage”; of Crispina “in the colony of Thebestina, in the *secretarium*, when Anulinus the proconsul was (holding court) at the tribunal”; of Cyprian, “Carthagine in secretario,” R. Knopf, G. Krüger, and G. Ruhbach, *Ausgewählte hlte Martyrakten*⁴ (1965), 28, 62, 109. Cf. *RE*, s.v. “Secretarium.”

153. See C. H. Kraeling (n. 151), esp. 127ff., “The Christian Building at Dura, and Early Church Architecture”; cf. R. Krautheimer, *Early Christian and Byzantine Architecture* (1965), chap. I. Compare R. L. P. Milburn, “Ο ΤΗΣ ΕΚΚΛΗΣΙΑΣ ΟΙΚΟΣ,” *J. Th. St.* 46 (1945): 65, and Chr. Mohrmann, “Les dénominations de l’église en tant qu’édifice en grec et en latin au cours des premiers siècles chrétiens,” *Rev. Sci. Rel.* 36 (1962): supp. 155, esp. 158–59.

154. Though, for instance, Lebreton and Zeiller (n. 12), 349, use the term “maison épiscopale.” Kraeling (n. 151), 128 and 134, does not seem to me to offer concrete evidence for the residence of presbyters in *domus ecclesiae*.

155. See F. Millar, “The Emperor, the Senate, and the Provinces,” *JRS* 56 (1966): 156 (= chapter 11 of F. Millar, *Rome, the Greek World, and the East I: The Roman Republic and the Augustan Revolution*; “Emperors at Work,” *JRS* 57 (1967): 9 (= chapter 1 of F. Millar, *Rome, the Greek World, and the East II: Government, Society, and Culture in the Roman Empire*; *The Roman Empire and Its Neighbours* (1967), 42–43, 75–80.

156. *OGIS* 262 = Abbott and Johnson, *Municipal Administration*, no. 147; cf. F. Millar, *CR*, n.s., 18 (1968): 264, which requires correction in the light of H. Seyrig, “Aradus et Baetocaecé,” *Syria* 28 (1951): 191. The document is now re-edited as *IGLS* IV, 4028.

157. P. Roussel and F. de Visscher, “Les inscriptions du temple de Dmeir,” *Syria* 23 (1942–43): 173; W. Kunkel “Der Prozess der Gohariener vor Caracalla,” in *Festschrift H. Lewald* (1953), 81; *SEG* XVII 759. On the lines in question (38–43), see N. Lewis, “Cognitio Caracallae de Gohariensis: Two Textual Restorations,” *TAPhA* 99 (1968): 255.

158. Theophilus, *Ad Autolycum* 1, II.

159. *HE* 7, 13.

160. *HE* 7, 32, 2; Jerome, *Chron.*, ed. Helm, 222.

161. *Cod. Just.* 1, 21, 2; 3, 24, 1; 7, 62, 12; 9, 40, 2; 12, 61, 1. For reasons which remain obscure, all these rescripts, to which the dates of *propositio* (posting up) at the *comitatus* (the emperor’s court) and

acceptance by the city concerned are attached, date from the decade 310–20.

162. Though where our sources give some indication of the time spent on embassies, it tends to be in exceptional cases. But note, e.g., Jos., *Ant.* 18, 170–71—deliberate delay by Tiberius; Philo. *Leg.* 29/285—Jewish Alexandrian embassy waiting for an audience with Gaius; Pliny, *Pan.* 79, 6–7.

163. Clandius' third *trib[unicia] pot[estas]* is clearly attested, *CIL* II 1672; III 3521 = *ILS* 570. See L. Bivona, "Per la cronologia di Aureliano," *Epigraphica* 28 (1966): 106; as Bivona points out (121), this essential datum is missing from J. Lafaurie, "La chronologie impériale de 249 à 285," *Bull. Soc. Nat. Ant. France* (1965): 139; for the evidence on Claudius' activities, see P. Damerau, *Kaiser Claudius II Gothicus*, *Klio*, Beih. XXXIII, n.f., 20 (1934).

164. See J. Rea, "The Chronology" (of the Corn Dole Archive, *P. Oxy.* 2892–2940) published in *P. Oxy.* XL (1972), pp. 15–30, which the author was kind enough to show me before publication. The scheme which emerges is as follows: (1) Claudius survived until shortly before the end of his second Egyptian regnal year (269/70); (2) Quintillus is attested on Alexandrian coins but no known papyri are dated by him; (3) the third year of Claudius is attested on coins and papyri, suggesting that the news of his death had not yet spread—270/1 is therefore Quintillus I (coins), Claudius 3, and also (from December) Aurelian I/Vabalathus 4; (4) subsequently Aurelian re-numbered his Egyptian regnal years to date from the death of Claudius, so making 269/70 Aurelian I; (5) Egypt seems to have been recovered in the summer of 272.

165. The parallel case of the repetition by the emperor of the wording of the original letter when replying to a provincial governor is patent in the case of Pliny and Trajan; see A. N. Sherwin-White, *The Letters of Pliny* (1966), 537ff. For letters in reply to city embassies, see F. Millar, *The Roman Empire and Its Neighbours* (n. 155), 76.

166. Zos. 1, 48–49. See Alföldi (n. 100).

167. If that is what is meant by the puzzling phrase of Ensebius, *HE* 7, 29, 2, "who stood at the head of a school of rhetoric, one of the Greek educational establishments at Antioch" (Loeb translation). Note M. Richard, "Malchion et Paul de Samosate: le témoignage d'Eusèbe de Césarée," *Eph. Theol. Lovanienses* 35 (1959): 325.

168. *HE* 7, 32, 6, 21.

169. See C. H. Kraeling, "The Jewish Community at Antioch," *Journ. Bib. Lit.* 51 (1932): 130.

170. See, e.g., M. Simon, *Verus Israel*² (1964), 235; H. Chadwick, *Origen: Contra Celsum* (1953), 41.

171. Euseb., *HE* 7, 32, 2–4.

172. Suda, s.v. *Loukianos*. See G. Bardy, *Recherches sur Saint Lucien d'Antioche et son école* (1936), 43ff., 164ff.

173. *HE* 7, 30, 16–17 (two extracts from the synodal letter); cf. Pamphilus, *Apologia pro Origene* 5 (*PG* XVII, 578–79); Theodoret, *Haer. Fab. comp.* II, 4 (*PG* LXXXIII, 389).

174. *HE* 5, 28.

175. *HE* 6, 33; the connection is indicated by J. Daniélou and H. Marrou (n. 12), 253. For the documentary record of the confutation by Origen of another local heresy, almost certainly Arabian also, see J. Scherer, *Entretien d'Origène avec Héraclide* (1960).

176. *HE* 7, 30, 12.

177. See A. Vööbus, *History of Asceticism in the Syrian Orient I* (1958), 79.

178. See Cypr., *Ep.* 4.

179. *HE* 7, 30, 10–11.

180. See I.-M. Dalmais, "L'apport des églises Syriennes à l'hymnographie chrétienne," *Orient Syrien* 2 (1957): 243. Note the significant generalisation (made without reference to Paul), 247: "la grande Église doit s'être toujours défiée des chants aussi capiteux, trop éloignées de cette 'sobre ivresse' et de cette réserve qui furent toujours siennes. . . . Au cours du III^e siècle une nette réaction se fait sentir en faveur de l'emploi exclusif des psaumes et des cantiques scriptuaires."

181. See J. Daniélou and H. Marrou (n. 12), 252: "Il est typiquement oriental. On trouve chez lui les usages de la Syrie de l'est."

CHAPTER ELEVEN

Caravan Cities: The Roman Near East and Long-Distance Trade by Land



My title, “Caravan Cities,” is intended to recall the evocative book by Rostovtzeff, published in 1932.¹ In it he gave a vivid sketch of some of the wonderful remains to be seen then—and to be seen even better now—in the huge area of the Near East ruled by Rome: Petra and Gerasa (Jerash) in Jordan; Palmyra in the desert and Dura-Europos on the Euphrates, both in Syria. To say that these were “caravan cities” is to say something more than merely that trade passed through them. It is to say that they owed their character as cities to trade: not to local exchanges of products, but to long-distance trade, to caravans. Given the overtones of the word “caravan,” there is a rather strong implication that we are talking about camel trains, travelling vast distances over the desert.

In the case of Palmyra in particular, there has been a tendency to think of such cities, quite explicitly, as having been like ports; hence Javier Teixidor’s book of 1984 called the city “un port romain du désert,” while Ernest Will’s of 1992 was subtitled “La Venise des sables.”² Given the keen interest with which we await Geoffrey Rickman’s study of Roman ports, it seemed appropriate to use the analogy expressed in these titles and to ask how far it is justifiable to see any of the cities of the Near Eastern provinces as having been like ports, functioning as centres for long-distance overland trade with the Asian land-mass.

As will become clear below, there are immense problems in the evidence, and many questions which we would like to answer will remain unanswered. But we do have one absolutely secure starting point, namely the incontrovertible evidence provided by the *Periplus Maris Erythraei* (Voyage around the Red Sea) as regards long-distance trade by sea in the zone represented by the Red Sea, the east coast of Africa, the northern coasts of the Indian Ocean, and the west coast of India. This highly evocative Greek text, written between A.D. 40 and 70, and excellently edited by Lionel Casson,³ provides just what we do not know, or hardly know, of land trade with Asia: the various different routes of exchange, the political relations involved, and

above all detailed accounts of the *objects* of trade. But it does none the less serve to validate the starting point of this essay, simply by confirming that long-distance trade, as an organised, conscious activity, was a feature of the society and economy of the Roman imperial period.

It would of course be very helpful if we had available any comparable work on trade by land. In fact we do not, though the *Parthian Stations* of Isidorus of Charax, apparently dating to around the turn of the eras, has sometimes been interpreted as if it were. Indeed in his invaluable edition and translation of 1914, W. H. Schoff sub-titled his book “an account of the overland trade route between the Levant and India in the first century B.C.”⁴ As we will see, the work is indeed relevant for an understanding of trade routes. But in reality the focus of interest of the author is not social or economic, but political and military. The work begins with the crossing of the Euphrates at Zeugma, in an easterly direction, and hence (implicitly) with entry into Parthian territory, and it ends with Alexandropolis, the metropolis of Arachosia: “as far as this the land is under the rule of the Parthians.”

The itinerary traversed thus comes nowhere near India, ending instead where Parthian rule stopped in central Asia. In between, the author’s interest is focused on local political formations, and in particular on the question of whether a place was a Greek foundation, or counted as a Greek city. Hence we find here one of the very few literary references to Dura-Europos: “next is Doura of Nicanor, a foundation of Macedonians, but (which) is called by the Greeks Europos.” Just before this, Isidorus has revealed what sort of travellers his work really concerns. Speaking of the confluence of the Chabur and the Euphrates, he says, “from this point the forces cross over to the Roman side.” It is probable, though nowhere made explicit, that Isidorus is thinking of a Roman army invading, rather than of Parthian troops in transit. However, either interpretation is possible.

The first part of the itinerary involved has been excellently discussed by Chaumont and Gawlikowski;⁵ this section went across the Euphrates, continued to the Balikh and then went down this river to the Euphrates, crossing over at the confluence with the Chabur, and continuing along the river as far as the King’s Canal and the traverse across to Seleucia on the Tigris.

After that, the route took the traveller up through the Zagros Mountains to Media, Margiana, and finally Alexandropolis. The

terminal point is not India, but Alexandropolis, which, as is argued by Fraser in his study of Alexander's city foundations, can be identified with Kandahar in Afghanistan.⁶ It should be stressed also, however, that this city equally does not lie on any supposed line of a "Silk Road" carrying trade between the Mediterranean area and China; on any reconstruction such a route would have run well to the north.⁷

The *Parthian Stations*, in short, is not in any simple sense evidence about *trade routes* at all, still less about the legendary Silk Road. Whether there is indeed evidence for any such route will be touched on briefly below. For the problem of the possible role of cities lying in the Roman provinces, it is enough for the moment to take the hint that any traveller going eastwards might first travel south-eastwards, to the area where the Euphrates and Tigris come closest. In which direction trade then typically ran, whether north-eastwards to Media or further south-eastwards to the head of the Gulf, remains to be discussed.

The absence of any true parallel to the *Periplus Maris Erythraei*, giving an account of long-distance land trade, is a serious handicap. Any such account would have been invaluable, whether it concerned the northern crossing of the Euphrates at Zeugma, or that further south via Beroea and Hierapolis, or that traversing the Syrian steppe to Palmyra and then to the Euphrates; or possibly, much further south, that from Bostra via the Wadi Sirhan to Dumatha and then the gulf, or that from Gaza or Petra to the Hedjaz and south to the Yemen. As we will see, there is some explicit evidence, from a variety of sources, for all these routes. But between them these scattered allusions still leave two enormous problems. Firstly—unlike the *Periplus*—they say extraordinarily little about what was actually carried, and what the objects of long-distance trade were. Secondly, they leave open the question of the importance of long-distance trade in the life of any of the cities concerned: were any of them in fact "caravan" cities?

If the answer is difficult everywhere else, surely it ought at least to be easy in the case of Palmyra, lying away out in the steppe between Emesa or Damascus and the Euphrates. Its position seems to mean that we have no option but to conceive of it as a caravan city. As we will see, Appian, writing in the middle of the second century, duly ascribes to it a central role in the trade between the Roman and Parthian empires. But, quite apart from that, we have a long series of inscriptions—local documents from Palmyra and its region, in Greek and Palmyrene (a dialect of Aramaic)—which refer to the caravan

trade. These inscriptions stretch from A.D. 19 to the 260s. What more do we want? In fact we have some more, namely the vast tax law of A.D. 137, also inscribed in Greek and Palmyrene, and giving details of the tolls on goods coming into the city. But both of these bodies of evidence prove, when looked at more closely, to be somewhat deceptive.

There is a wider problem, however, indeed what seems to be a profound contradiction between what ancient sources suggest, and what modern theory dictates. By “modern theory” I mean above all Moses Finley’s *The Ancient Economy*.⁸ The lessons of this book, as need hardly be said, were profound. To summarise grossly, Finley argued that neither trade as an activity nor traders as a class ever represented a dominant factor in the life of any ancient community. A political community might *regulate* trade, protect it, or tax it: it might also seek access to raw materials, or supplies, especially grain. But it did not have the promotion of its own trade—the search for markets for the products of its economy—as an objective. Trade was, to use an over-used phrase once again, “embedded” in a wider political structure.

One very problematic side-effect of the presentation of this sweeping hypothesis—which is in broad terms correct—was an anti-empirical tendency, that is, a disposition to take any one item of evidence, especially archaeological evidence demonstrating the movement of goods, and then reject it as not proving enough. By rejecting each item separately, Finley did come rather close to guaranteeing the impregnability of his main hypothesis. For if no item of concrete evidence were allowed to mean much, no *accumulation* of unexpected or unfamiliar items of empirical evidence could ever occur. Consequently, one could never be led by the accumulation of empirical evidence into revising one’s initial hypothesis.

In the course of talking about the “ancient economy,” by which he meant the economic characteristics of the Graeco-Roman world, Finley did not say a great deal about the eastern trade of the Roman Empire. It is significant that the *Periplus Maris Erythraei* is never referred to. When trade with Asia is mentioned, it is in sweeping terms: “To be meaningful, ‘world market,’ ‘a single economic unit’ must embrace something considerably more than the exchange of some goods over long distances; otherwise China, Indonesia, the Malay Peninsula and India were also part of the same unit and world market. One must show the existence of interlocking behaviours and responses over wide areas” (34). Certainly, *if* only some notion of a

“world market” or “single economic unit” will allow us to attribute *any* importance to long-distance trade, we shall have to give up at once. For, given the restricted means of transport, and the non-existence of credit-transfer systems, operating at a distance, without cash, it is inconceivable that long-distance trade could have had, overall, anything like the importance which would have produced world-wide rhythms of boom or recession of the sort familiar today. But that is hardly a reasonable requirement. What we need to ask is two more modest questions. Firstly, did people perceive long-distance trade with the East as an important phenomenon? Even Finley could not properly deny that this would be a significant question: for on the very same page he states that his justification for speaking of “the ancient economy” lies in its “common cultural-psychological framework”—or, in other words (to put it crudely), what people say in those ancient texts which happen to have survived. Secondly, long-distance trade, whose actual existence cannot possibly be denied, *might* have been sufficiently important to give a different character to certain places: in short to have produced, exceptionally, some “caravan cities.” Oddly enough, the *Ancient Economy* makes only one passing allusion to Palmyra, and then brushes it aside as an exception: “exceptional cities, such as . . . the caravan-city of Palmyra” (59). But in fact, as will be seen, Palmyra conformed rather better to his own model than he himself recognised.

If one is going to reject an approach based on the accumulation and analysis of concrete items of evidence, and look instead for a “common cultural-psychological framework,” one must then take seriously what the ancient sources say. For what they (along with epigraphic evidence and iconography) say *is* our means of access to “the common cultural-psychological framework.” But Finley wants, indeed needs, to have it both ways. Take for instance what he says about the two passages of Pliny the Elder which reflect concern about the expense of Roman trade with the East: “The famous passages in the elder Pliny (*Natural History* 6, 101; 12, 84) giving dubious figures of the drain of Roman gold and silver to India and other eastern countries in payment for luxuries are moral in their implication” (132). But, firstly, moral concerns *are* part of the “cultural-psychological framework”; and, secondly, moralising implications do not automatically deprive reports of all factual content. What does Pliny the Elder, writing in the 70s of the first century, actually say?

The first passage (*NH* 6, 101) refers, like the *Periplus*, to the *sea*

trade between Egypt and India. Each year, Pliny says, no less than 50 million sesterces was drained off by India, which sent back goods sold at 100 times their original value. The focus of the second passage (*NH* 12, 84) is the same: the luxury trade with India, China, and the Arabian peninsula cost not less than 100 million sesterces per year. There is simply no way of knowing whether the figures are “dubious” or not. Both passages are indeed alarmist, or moralising: but neither in fact mentions anything about gold or silver, each giving the alleged values in terms of sesterces. None the less, we cannot simply brush them aside. However curious its concerns may seem to us, Pliny’s *Natural History* is the most intense exploration of man’s relation to his physical environment, in the widest sense, known to us from antiquity.⁹ If he expresses concern about the cost of luxury trade with the East, then the existence of this luxury trade was known in Rome—it was not in other words a merely local phenomenon—and it was felt to be an issue of some importance.

It may none the less be significant that in Pliny’s eyes it was the *sea* trade which was the significant factor. It is surely striking that when he first refers to Palmyra he emphasises the richness of its soil and its water supply, and (rather misleadingly) its position as balancing politically between the Parthian and Roman empires (*NH* 6, 188); in fact—as has long been clear—it had been firmly in the Roman sphere at least since the reign of Tiberius. Pliny does go on immediately to give the distances from Palmyra: 337 Roman miles to Seleucia “of the Parthians,” 203 to the nearest point on the Syrian coast (a significant point, as we will see below), and 23 less than that to Damascus (which raises the question of whether Damascus was in any sense a caravan city). In fact, however, even in this context, Pliny makes no reference to trade.

The question of how ancient writers speak about long-distance trade remains, however inadequate their accounts are, of central importance. To review what we know, I would like to begin in the South, with routes through Arabia, then go to the North, to the Fertile Crescent and Mesopotamia; and finally come to the only area which presents a mass of local, documentary evidence, namely Palmyra and the Euphrates.

There is a good reason for beginning in the extreme South, for it is here that Pliny gives the most concrete and detailed available account of any long-distance trade route by land. What Pliny is describing is a route running north along the east side of the Red Sea, starting from

Thomna (or Thumna) in the territory of the Gebbanitae (present-day Yemen) and going all the way to Gaza on the Mediterranean coast. This is what he says:

It (*i.e.* Frankincense) can only be exported through the country of the Gebbanitae, and accordingly a tax is paid on it to the king of that people as well. Their capital is Thomna, which is 1487½ miles distant from the town of Gaza in Judaea on the Mediterranean coast; the journey is divided into 65 stages with halts for camels. Fixed portions of the frankincense are also given to the priests and the king's secretaries, but beside these the guards and their attendants and the gate-keepers and servants also have their pickings: indeed all along the route they keep on paying, at one place for water, at another for fodder, or the charges for lodging at the halts, and the various tolls; so that expenses mount up to 688 *denarii* per camel before the Mediterranean coast is reached; and then again payment is made to the customs officers of our Empire.¹⁰

Pliny is being quite up to date, for Gaza had probably become a part of the province of Judaea only after the Jewish War, which had ended in 70.¹¹ What he says about the total distances is in truth unreliable, for the manuscripts vary. But we know the distance, as the crow flies, anyway: it is approximately 1,300 miles. If Pliny has indicated the number of stages correctly, each of the 65 stages will have covered on average 20 miles, not allowing for deviations.

What is crucial is the indication that the goods were carried on camels, and that successive tolls and charges had to be paid en route and finally to the Roman *publicani* (tax collectors) at Gaza. Unfortunately Pliny does not give an estimate of the original value of each load in *denarii*.

It is a great pity that Pliny also fails to indicate that the latter stages of this route, before it reached Gaza, will have passed through the territory of the kingdom of Nabataea. But we know that it must have done so, until that area became in 106 the Roman province of "Arabia." For the regal period, at any rate, we can fill in the picture from the description in Strabo's *Geography*, written under Augustus and Tiberius. According to him there was a regular trade route from Petra to Leuke Kome, at the mouth of the Gulf of Aqaba, "to which and from which camel traders travel safely and easily on the route from and to Petra, in such numbers of men and camels as to differ in no way from an army."¹² Strabo is in fact touching here on a different aspect of the movement of trade, namely that which came by sea up

the Red Sea as far as Leuke Kome, where goods were landed and taken up to Petra. Hence the *Periplus* mentions Leuke Kome, “through which there is a way inland up to Petra, to Malichus, king of the Nabataeans. This harbour also serves in a way the function of a port of trade for the craft, none large, that come to it loaded with freight from Arabia. For that reason, as a safeguard there is dispatched for duty in it a customs officer to deal with the (duty of a) fourth on incoming merchandise, as well as a centurion with a detachment of soldiers.”¹³ In spite of much argument, it can be taken as certain that the “centurion” was in fact a Nabataean officer, and the king was Malchus II, who reigned from A.D. 40 to 70. Here, also, for the first time, we have a description of a regular “caravan.” Ships still came up this route three centuries later, perhaps indeed even further up, to Aqaba or Elat at the head of the gulf, the ancient Aela. Eusebius identifies this place as “lying next to the Red Sea, sailed by those coming from Egypt and those from India.”¹⁴

From Leuke Kome, caravans will clearly have travelled up the east side of the Gulf of Aqaba; from Aela onwards they could either go up what was later (after the Roman annexation of the area in 106) to be the Via Nova running north-eastwards to Petra and beyond; or perhaps they may have diverged almost due north, to reach the Mediterranean at Gaza. In fact it is perhaps more likely that even goods eventually bound for Gaza normally went through Petra, avoiding the more mountainous parts of northern Sinai; if so, the route will then have crossed the Wadi Arabah westwards and then traversed the Negev. At any rate Strabo briefly describes the nature of the route of 260 stadia between Aela and Gaza: over desert and sandy regions, and traversed (once again) by camels.¹⁵ Elsewhere he indicates a slightly different route for goods landed at Leuke Kome: from there to Petra and then across to Rhinocoloura (on the coast south-west from Gaza).¹⁶

Gaza seems to have played the major role as the post through which high-value goods, such as frankincense, finally reached the Mediterranean. Roman *publicani* were thus stationed there in the later first century, as we know from Pliny.¹⁷

Strabo does indeed imply, in the last passage quoted, that much of the sea trade from the Indian Ocean had already shifted to Egypt, which is likely to be true, and to have remained so throughout the Empire. But what needs to be stressed is that there was a series of land routes, or combined land-and-sea routes, from the East to the

Mediterranean. If we were looking for “caravan cities,” we might be in danger of finding too many. So, for instance, Strabo also implies that in the area of Damascus there were robbers based on Trachonitis—that extraordinary broken lava field which lies like a pancake on the plain between Damascus and the Hauran—and that, until repressed in the later 20s B.C., they would raid merchants (*emporoi*) coming from Arabia Felix.¹⁸ If that is true, it must mean that some traders, coming either by land or sea from the Yemen, continued north from Petra, presumably along the line of the later Via Nova, past the Decapolis region to Bostra, and on to Damascus. If so, not two but perhaps three trade routes may have met at Damascus: namely that just implied, from the south; the road westwards over Anti-Lebanon, into the Beqa^c valley and over Mount Lebanon to the coast at Berytus; and that running north-eastwards along the line of the later *Strata Diocletiana* (“Diocletian road”) to Palmyra and beyond.¹⁹ Thus Damascus also might hypothetically count as a “caravan city.”²⁰ The evidence for this, as is obvious, is however extremely slight, and far more significance attaches to the extensive cultivable zone which surrounds it.²¹

In recent years indeed, it has been supposed—on extremely slight evidence—that the economic centre of the Nabataean kingdom under its last king, Rabbel II (70–106), shifted to the north, to Bostra.²² There is really no good evidence for this. But one thing which has suggested it is the evidence—very slight but real—for a Nabataean and then a Roman presence far down the Wadi Sirhan to the south-east, namely at Duma or Dumatha. This is present-day al-Jawf, some 500 kilometres from Bostra, where there are both Nabataean and Roman graffiti.²³ Was there a trade route through here? If there were, it would have involved a journey of the 500 kilometres from the nearest Greek cities, Philadelphia or Bostra, and then nearly another 500 to the nearest point on the Euphrates, before the descent to the Gulf. It is not impossible: the route in 65 stages from Thomna to Gaza was longer. Moreover, here too, Pliny the Elder does describe such a route, even if his ideas on distance are completely confused: he does however seem to imply that one could travel from Petra via Dumatha to the river systems of lower Mesopotamia.²⁴ His conceptions are vague, to say the least. But we know that Dumatha was within the Nabataean-Roman sphere of influence; and there can hardly have been much point in going there except to continue to the head of the gulf.

The trade route to the East which has always attracted the most

attention is of course that through Palmyra to the Euphrates. But before we come to that area, let us look further north. For in the nature of the case, except in special conditions, the existence of the Fertile Crescent meant that most traffic aiming for any point in the central Asian land-mass would leave the Mediterranean coast in northern Syria, the area which had been suddenly urbanised by Seleucus I around the year 300 B.C.: here there were the ports of Seleucia and Laodicea, and the inland cities of Antiochia and Apamea, further up the Orontes; and further inland and to the north Cyrrhus (now just on the Syrian side of the Turkish border), and to its south Beroea (Aleppo), centred on its magnificent natural acropolis. These two places in fact defined the two main ways by which one might continue from Antiochia to cross the Euphrates: either north-east through Cyrrhus to another Seleucia, usually known as Zeugma, “the bridge,” and then into Mesopotamia, to reach Edessa; or on eastwards through Beroea, watered by the river Belus, and then north-eastwards to Hierapolis, before crossing the river. Here again, we have crucial evidence from Strabo, though he in fact fails to understand the point of his own description of where travellers went after they crossed the Euphrates. He seems to be thinking of the more southerly crossing near Hierapolis; but the essential point which he makes is that after crossing the Euphrates travellers continued into the desert, and then kept the river (the Euphrates) on their right for a three-day journey. The reason which he gives is extremely important for understanding not only this route but also that through Palmyra: that is, that the chiefs of the tent dwellers (*Skenitai*) living further from the river were more moderate in the payments they asked for and were more helpful in providing watering places for the camels.²⁵ The ambivalent relationship between traveller and local community thus surfaces once again, as it does also on the route between the Yemen and Gaza.

Strabo does also mention the other crucial factor: namely, the two tributaries of the Euphrates which rise in the Mesopotamian shelf, the Balikh and the Chabur. But he does not relate them to the route taken. This vital item is supplied by Strabo’s contemporary, Isidorus of Charax. The point comes from his brief but priceless itinerary of how one journeyed through Parthian territory, the *Parthian Stations*, discussed above. He describes the more northerly route, from the Euphrates at Zeugma, and from there across to the river Balikh; and then down the Balikh to its confluence with the Euphrates at Nikephorion. Then the route went down the Euphrates past its confluence with the Chabur; and then, as we saw earlier, it took the

traveller back onto the right bank, past Dura and on down the river as far as the royal canal, where one crossed over to Seleucia on the Tigris.

The fact that both of these two northern routes—that through Zeugma and that through Hierapolis—were well established in the late first century B.C. is important. For there is a danger of reading our scattered literary references as if they added up to a consistent story—that is, a shift away both from trade through Nabataea and through Palmyra in favour of a northern route through the Fertile Crescent. But, firstly, the northern route itself—or at least one variant of it—in fact turned south as soon as it reached the Balikh; and, secondly, for the traveller there was always a choice at that point. We can see this in the wonderful account of this area as it was in the fourth century contained in the *History* of Ammianus. Two sections are of particular importance. The first is the famous account of the fair at Batnae, or Anthemusia, which lay near the more northerly route between the Euphrates at Zeugma and the headwaters of the Balikh:

The town of Batnae, founded in Anthemusia in early times by a band of Macedonians, is separated by a short space from the river Euphrates; it is filled with wealthy traders when, at the yearly festival, near the beginning of the month of September, a great crowd of every condition gathers for the fair, to traffic in the wares sent from India and China [*Seres*], and in other articles that are regularly brought there in great abundance by land and sea.²⁶

Is the reference to “the Chinese” (*Seres*) an allusion to a “silk road” running through the Asian land-mass? That is certainly possible. But there is also a reference here to “the Indians,” and to goods coming by sea as well as by land. What this means is explained when Ammianus describes Julian’s last expedition, on which his army marched out in 363, from Antioch through Beroea (Aleppo) and Hierapolis (hence by the more southerly route), and then to the Euphrates. From there he crossed over to Batnae, thus apparently travelling north-eastwards to join the more northerly route, and from there continued to Carrhae, the ancient Harran: “From there two different royal highways lead to Persia: the one on the left through Adiabene and over the Tigris; the other, on the right, through Assyria and across the Euphrates.”²⁷ Julian then pretended to march towards the Tigris, but in fact followed the other route, in fact exactly that traced in the *Parthian Stations*: that is to say, down the Balikh to Callinicum on the Euphrates; on to the confluence of the Chabur and the Euphrates,

where Diocletian had established the fortress of Circesium; then past the now deserted town of Dura; and then further south to the King's Canal, Seleucia, and Ctesiphon.

These two alternative ways of starting from Syria therefore represented variants on an established means of reaching northern Mesopotamia. The central feature of both was the step of avoiding the long curve of the Euphrates by crossing to the headwaters of the Balikh on the Mesopotamian shelf, before turning south to travel down the Balikh to the Euphrates. In the fourth century this area was Roman territory; but conversely the Euphrates below the Chabur, including the deserted town of Dura, which had been in Roman hands from the 160s to the 250s, was now Persian.

From the lower Euphrates, or from Ctesiphon on the Tigris, one could travel down either river to the shores of the gulf and take ship for India. It was on that shore, as a famous story in Cassius Dio records, that Trajan—the only Roman emperor ever to reach the Gulf—had stood and watched a merchantman setting off for India. If only he had been as young as Alexander!²⁸ The merchants were still there in (probably) the third century, when the “Hymn of the Pearl” included in the Syriac *Acts of Thomas* describes it as “the meeting-place of the merchants of the East.”²⁹ There is no reason to think that this later ceased to be so.

There are two reasons why it *has* been supposed that the main trade routes shifted northwards in the course of the imperial period (see text to n. 26 above). One is the history of Palmyra, to which we will come. The other is the treaty which Diocletian made, after conquering the upper Tigris region, in 298 or 299. One provision in the treaty was that Nisibis, situated in eastern Mesopotamia not far from the Tigris, should be the only place of *synallagmata*.³⁰ The term should perhaps mean “contracts” or “agreements” rather than specifically “exchanges of goods.” In any case, as we have seen, goods sent from India and China were certainly being traded at Batnae, further west than Nisibis, in the 350s. Similarly, that splendid geographical text of the mid-fourth century, the *Expositio totius mundi et gentium* (Description of the Whole World and Peoples), describes how wealth was gained from trade with Persia both by Nisibis but also by another city which may be either Amida, further up the Tigris, or less probably Edessa: “for, receiving goods from the Persians, they sell them throughout the whole territory of the Romans.”³¹ But in any case the precise pattern of these exchanges will have been altered

profoundly when Jovian in 363, after Julian's death, had to cede Nisibis, Singara, and five districts along the Tigris to the Persians. Moreover, we do not know what routes trade had followed beyond Nisibis: directly to China along the "silk route" through central Asia; or down the Tigris to Babylonia and the Gulf? In 363, after Julian's death, Jovian had in fact brought his forces back up the east side of the Tigris, and then across to Hatra in the Mesopotamian steppe, and on to Nisibis.

The two alternatives are not of course mutually exclusive. What is certain is firstly that this northern route, at least as far as the cities of the Mesopotamian shelf, was in use throughout the Roman imperial period. Secondly, it seems clear that camel trains were in use here too. One of the great discoveries of recent years has been the new archive of papyri of the 230s to 250s which comes from the middle Euphrates and includes items in Greek, Syriac, or both. One of them, of about 240, shows a man from Beth Phouraia, near the confluence of the Chabur and the Euphrates, advising his son on the hire of camels for the journey from Beroea (Aleppo) to Zeugma.³² The "caravan," if that is what it was, will thus have been going from the southern route to the Euphrates to the northern one—but where next is not made clear. Thirdly, all the routes concerned were exposed to attacks from the nomads whom Graeco-Roman writers called "Skenitai" (tent dwellers) or "Arabes" or (from the second century onwards) "Sarakenoi" or "Saracens." A succession of "Saracen" kings, for instance, came to join Julian on his expedition into Persia.³³ But our most vivid impression comes from Jerome, in the *Life* of Malchus. The story is set before 363, when Nisibis was lost to the Persians. Malchus was journeying eastwards from near Chalcis, on the edge of the Syrian steppe south of Beroea, to see his parents who lived near Nisibis. But along the road the "company," deliberately travelling together for protection, were attacked by "Saracens," whom Jerome, as a Christian, also calls "Ishmaelites." Unfortunately Jerome does not make clear whether this episode is supposed to have taken place west or east of the Euphrates. At any rate the narrative is too vivid not to quote:

Lying near the public highway from Beroea to Edessa, there is a desert through which nomad Saracens are always wandering back and forth. For this reason, travellers along the way group together and, by mutual aid, decrease the danger of surprise attack. There were in my company men, women, old men, young people, children, numbering in all about seventy. Suddenly, Ishmaelites, riding upon horses and

camels, descended upon us in a startling attack, with their long hair flying from under their head-bands.³⁴

The group whom Malchus had joined had clearly gathered for protection. He uses for them the word *comitatus*, which could properly be translated “caravan.”

We therefore come to the same conclusion as before. As places from which groups of travellers set off across the margins of the steppe, exposed to attacks from nomads, or at least to the exaction of tolls by them, Antiochia, Beroea, and Hierapolis in Syria; Zeugma on the Euphrates; and Batnae, Edessa, and Nisibis in Mesopotamia might all be seen, potentially, as “caravan cities.” The facts of geography, and above all of the availability of water, must always have meant that most traffic from the coastal area of the Mediterranean to Mesopotamia, Babylonia, or central Asia travelled along the Fertile Crescent.

All this has been necessary to put what we know of Palmyra in proper context. In this case we are talking about a very different geographical context. But it was not *wholly* different. It was not only, as Pliny knew (text following n. 9 above), that Palmyra was a well-watered oasis. It was also that it owed the existence of that oasis to its position under a chain of quite high mountains which stretches out north-eastwards from the major mountain of Anti-Lebanon above Damascus. In the mountainous, and not entirely arid, zone north-west of Palmyra there was an extensive area of villages with small temples and Palmyrene inscriptions, brilliantly studied by Daniel Schlumberger.³⁵ The limit of the zone of 200 millimetres rainfall comes quite close to Palmyra, whose date palms still benefit also from a natural spring.

Palmyra was certainly not, however, the centre of a rich, fertile countryside like that around Gerasa, which there is indeed no reason to think of as a “caravan city” at all. But, equally, it was also, like any other Graeco-Roman city, the “central place” of an agricultural hinterland, as well as having, like Damascus, a rich oasis immediately round it. It is these circumstances which explain why, whatever is going to cast light on the long-distance “caravan” trade of Palmyra (which was a reality), it is not the famous customs law. For, as John Matthews showed, this law in fact deals with products coming into the city from its immediate hinterland.³⁶ Indeed it is not, strictly speaking, only a customs law, since traders, including prostitutes, are also taxed; it is in fact a law on the indirect taxes which Palmyra, like any other

city in the Empire, was entitled to raise. But the text does refer to loads brought in by camel or donkey; to animals coming in for slaughter; to bronze statues being imported; to the sale of salt; and to sheep being brought in, either for grazing or to be sheared. Almost nothing in the law suggests long-distance trade in luxuries; indeed the only item which might do so is the reference to camel- or donkey-loads of ointment, namely “myrrh.” An analysis of the tax law thus produces a picture of economic movements and of the city’s relationship to trade which could be true of any city. If Palmyra were indeed a “caravan city” the tax law does not reveal it.

I am not going to argue that there was no sense in which this is true of Palmyra. It does have to be admitted however that outsiders’ references to Palmyra, and to its distinctive character as a city, are extraordinarily few. To the best of my knowledge, not a single Graeco-Roman writer refers to the remarkable art and architecture of Palmyra, even though we know that it was visited by three emperors, Hadrian, Severus Alexander, and Aurelian. Nor does anyone allude to the fact that in Palmyra alone, of all the cities in the Empire, one could see a series of public inscriptions in both Greek and a Semitic language, in parallel, which lasted for almost three centuries (see chapter 8 in the present volume). Josephus however does give us a vivid picture of Palmyra, which he supposed to have been founded by Solomon:

He [Solomon] advanced into the desert of Upper Syria and, having taken possession of it, founded there a very great city at a distance of two days’ journey from Upper Syria and one day’s journey from the Euphrates, while from the great Babylon the distance was a journey of six days. Now the reason for founding the city so far from the inhabited parts of Syria was that further down there was no water anywhere in the land and that only in this place were springs and wells to be found. And so, when he had built this city and surrounded it with very strong walls, he named it Thadamora, as it is still called by the Syrians, while the Greeks call it Palmyra.³⁷

Josephus’ impressions of the distances are much too short: Palmyra will have been almost eight days’ journey from Antioch, and six days’ from the Euphrates at Dura; the journey to Babylon will have taken something like another twelve days. But its role as a major watering place on the route between Syria and Babylonia is clearly brought out.

Josephus, however, says nothing specifically about trade. Remarkably enough, the only ancient writer who does refer to the

trade of Palmyra is Appian. Describing the attack on Palmyra by the forces of Marcus Antonius in 41 B.C., Appian says, moving into the present tense, “for being merchants [*emporoi*] they bring goods from [the territory of] the Persians and dispose of them in that of the Romans.”³⁸ Though the urbanisation of Palmyra had already begun in the first century B.C., what Appian says is evidence for his own time, the mid-second century. It should be stressed that we have no other external evidence for Palmyrene trade, and no internal literary evidence (there is no Palmyrene literature), nor anything more than scraps of Palmyrene documents on perishable materials.³⁹

In short everything that we know about Palmyrene trade is a function of the Palmyrene version of the “epigraphic habit.” What is unique about this habit is simply that it did remain bilingual, from the later first century B.C. to a few years after Aurelian’s reconquest (i.e., to the late 270s). After that, it is essential to stress, Palmyra was not destroyed but continued to exist as a minor Greek provincial city, with a Roman garrison.

The inscriptions which refer to Palmyrene trade stretch from A.D. 19 to the 260s.⁴⁰ The first thing to stress is that, as proper off-shoots of the Graeco-Roman “epigraphic habit” the relevant inscriptions are all, without exception, honorific inscriptions for individuals. The earliest of them comes from A.D. 19, put up by Greek and Palmyrene merchants “in Seleucia” (BSLWKY’ in the Palmyrene text, in fact the only reference to Seleucia in the epigraphy of Palmyra).⁴¹ The next is of A.D. 24, put up to honour Malichos son of Nesa by “the merchants who are in Babylon, because he benefitted them in all ways.”⁴² The series continues to the 260s, with a marked concentration in the earlier second century. The latest firmly dated one is of 257/8 and is put up by the *boul* $\bar{\epsilon}$ and *d* $\bar{\epsilon}$ *mos* (council and people) of what was now a Roman colony to honour Iulius Aurelius Salamallathus, an *archemporos* (leading merchant), for having “brought back” a caravan (*synodia*) “without charging, at his own expense.”⁴³ The second thing to note is that all the places mentioned in the inscriptions lie to the east of Palmyra: the city of Seleucia on the Tigris is mentioned, as we have just seen, only once, on a fragmentary inscription of A.D. 19. Otherwise we have references to Vologaesias, somewhere on the Euphrates, to Mesene at the head of the Persian Gulf, and, very significantly, to “Scythia.” We know what they will have meant by “Scythia,” because the *Periplus* (38) also refers to this area—it was north-west India. So, for instance, one of the many inscriptions of the

mid-second century in honour of M. Ulpius Iaraios, or Yarhai, was put up “by the merchants who have returned from Scythia in the ship of Onainos son of Addoudanos,” because of the assistance which he had given them.⁴⁴

Palmyrene traders, it is quite clear, regularly travelled across the steppe to the Euphrates, either directly to Dura or on the route south-westwards to Hit (Aeipolis). The long track across the steppe is still visible from the air. They might go as far down the river as Vologaesias, whose exact location on the Euphrates is not known, or on to Spasinou Charax (Mesene), which is mentioned several times in the inscriptions from the second century. But they might also take ship to north-west India. Strictly speaking there is no Palmyrene evidence to show that they ever took the route north-eastwards into central Asia, starting from Seleucia and crossing the Zagros Mountains, which Isidorus’ *Parthian Stations* indicates (see text to n. 4 and to nn. 26–28 above). As Gawlikowski has made clear, the Palmyrene trade route reflected in the inscriptions runs, without exception, south-eastwards towards the head of the gulf: “There is strictly nothing to suggest that the Palmyrenes were interested in the land route through Iran and Central Asia, the celebrated Silk Road.”⁴⁵

There did seem at one moment to be real archaeological evidence for a Palmyrene presence on the Silk Road, in the form of two Palmyrene *stēlai* (inscribed pillars) found at Merv in present-day Turkmenistan; but unfortunately it now seems clear that they were brought there in the nineteenth century.⁴⁶

What we can know from the honorific inscriptions is confined—obviously enough—to what they will tell us. Firstly, there were indeed “caravans”—*synodiai*. Their members are called in Palmyrene BNY ŠYRT’ (sons of the caravan). Secondly, these caravans required protection against the peoples living in the steppe. The protection involved might simply be financial, in other words the payment of something between tolls and protection money (compare Pliny’s account of the route through the Hedjaz, and Strabo’s of the Euphrates route: text to nn. 10–12 and 14–17 above). We have seen how Salamallathos in 257 brought back a *synodia* “at no cost,” “at his own expense.” But on other occasions real fighting was involved. In 199 Ogelos son of Makkaaios is honoured “for his having given satisfaction through continued commands [*stratēgiai*] against the *nomades*, and having provided safety for the merchants [*emporoi*] and the caravans [*synodiai*] in all his commands of caravans [*synodiarchai*].”⁴⁷ We know

that the Palmyrenes, uniquely for a provincial city, maintained military outposts far away on the Euphrates, outside the Roman provincial area.⁴⁸

Our knowledge of the difficulties and dangers which faced caravans on their way back from Vologaesias to Palmyra has been enhanced by a recently published bilingual inscription of A.D. 144 from the temple of Athena, honouring Soados son of Boliades (to use his Greek name). He had saved a caravan under attack from forces under a leader called in Palmyrene ‘Abdallat Ahiitya, and the allusion here seems to be quite clearly to military protection. Since the preliminary publication appears in an article by H. J. W. Drijvers on the dependence of the public vocabulary of Palmyrene on Greek,⁴⁹ and might thus escape notice altogether, it is worth reproducing Drijvers’ translation here, with minor presentational changes:

[The statues?], this one in [the temple of Athen]a, one in the sacred garden, and one in the temple of Atargatis, [which] have been erected next to the first four statues that were erected by the first caravan [synodia] for Soados son of Boliades son of Thaimisamsos, who is pious and patriotic, through his benevolence and magnanimity towards the citizens in every way, adorned with distinctions and very great honours, the caravan [synodia] of all Palmyrenes which came back from Vologaesias erected, because he advanced in a distinguished manner, taking with him a large force, and he protected (them) against [Ab]dallathos from Eeithe and these [“the robbers” in the Palmyrene text] that were brought together by him from P[.....] who for a long time were lying in wait in order to harm the [caravan...] he preserved them. Therefore they erected for him [the statues?] to honour him, when Malê son of Sumonos [.....] and [E]nnibel son of Sumonos son of Bazekes were caravan-leaders [συνδιαρχούντων] in the year 455 month Daisius (June).

The Abdallathos against whom Soados had protected the caravan will presumably have been very like the *phylarchoi* (tribal chiefs) of the Skenitai of whom Strabo speaks as operating on the other side of the Euphrates (text to n. 25 above). This seems to be the only occasion on which one of them is mentioned by name in the epigraphy of Palmyra.

We should not minimise what we can learn from these inscriptions, limited as they are in their formal character. *Synodiai*, “caravans,” were indeed a regular feature of trade. There was a public position called *synodiarchos* (commander of a caravan) and another called

archemporos (leading merchant). These caravans travelled across the steppe to and from Vologaesias and Spasinou Charax. Some Palmyrene merchants ventured further, across the Indian ocean. Protection against the dangers of the land route was necessary and was supplied either by money or by actual fighting against the *nomades*.

But we learn nothing of the internal organisation of a *synodia*; nothing whatsoever of the objects of trade; nothing directly about the forms of transport, presumably camels or donkeys; and above all we hear nothing of how, or in what direction, this trade was then carried westwards—that is, of how, in Appian's words, the Palmyrenes disposed of the goods in the empire of the Romans (see text to n. 38 above).

What this means is that what the inscriptions will tell us is determined by their political and, to an extent, military preoccupations: the benefits which the *euergetai* (benefactors) who were honoured conferred related to the no-man's-land of the steppe between Palmyra and the Euphrates, and between the Roman and the Parthian, and then the Persian, empires. The routes to the west, towards the coast, will have been relatively secure. One certainly led south-eastwards to Damascus; by the end of the third century this route had an imperial name, the "Strata Diocletiana," and was lined with Roman forts.⁵⁰ Anything which reached the Mediterranean from there will have been carried through the pass over Anti-Lebanon into

the **Beqa'** valley and then over Mount Lebanon to Berytus. Much more direct was the route westwards to Emesa (Homs), or Laodicea ad Libanum, and then through the Homs gap to the sea. When traffic reached the sea, the obvious ports were the old Phoenician cities of Arados to the north and Tripolis to the south. But to say that is immediately to reveal how little impression we have of the trading role of these very modest places under the Empire. There is no doubt of course that cargoes could be picked up by trading ships moving along this coast either southwards, to Egypt, or more importantly northwards and then along southern Asia Minor to the central Mediterranean. Saint Paul, on his last missionary journey, took a ship going from Patara southwards to Tyre, Ptolemais, and Caesarea (Acts 21:1–16). Then, when sent to appear before Caesar, he was put on another going northwards, from Caesarea to Sidon, Cyprus, and Myra, where he was transferred to an Alexandrian corn ship bound for Rome (27:1–6). The Pseudo-Clementines also contain a quite detailed account of a voyage up the Phoenician coast, stopping at a number of

places.⁵¹ We do not need to multiply testimonies, for it is beyond doubt that, once at the coast, goods could be transferred to the Mediterranean sea trade. High-value, low-volume cargoes could easily be put on such ships as Acts describes. But have we any concrete evidence that such cargoes, transported from the interior, were in fact traded on the Phoenician coast? The answer is somewhat embarrassing, namely a single passage of Galen. It comes in his description of how he collected specimens of chemicals and drugs on a journey to Lemnos, Cyprus, and Palaestine:

Moreover I had the good fortune to lay hold of the Indian *lycium* which had been recently imported to Phoenicia together with the Indian aloe. This happened when I was on my way back from Palaestina, and I was persuaded that the *lycium* was Indian both by the very fact that it was brought by camels, together with the whole cargo and because the spurious one could not be known to those who brought the *lycium* as the material from which it is prepared is not produced in their localities.⁵²

Galen makes his reasoning quite clear: the Indian product, *lycium*, could be regarded as being both authentically Indian and as having been imported overland, since the whole consignment had been brought by camels (*phortion* here surely refers to the presumed transport by land). The carriers must therefore, it seems, have come via Palmyra.

Galen's conclusion is of some significance. For *lycium* is among the products which the *Periplus* describes as being imported by sea from north-west India to Egypt.⁵³ Pliny the Elder also adds that it was sent by "the Indians" in the skins of camels or rhinoceruses.⁵⁴

Galen does not tell us where these caravans reached the Phoenician coast, or indeed precisely where he acquired the goods. But his presumption is enough to produce further possible candidates for the title of "caravan city": Emesa, whose rise and fall, as Seyrig suggested, exactly parallels that of Palmyra to its east;⁵⁵ perhaps even Laodicea ad Libanum—if geographic determinism really determined anything, and if trade had been a major factor in the growth of cities, this place ought to have been one of the major cities of the ancient world. For it lies in the Homs gap between Palmyra and the sea, and just where that route crosses the Orontes as it flows north from the rich Beqa' valley, towards Apamea and Antiochia. The vast tell of ancient Qadesh shows that in the past it had indeed been a major city. But in the Roman Empire it was not.

If we survey what we have found, bearing in mind how slight our literary evidence is, so that negative arguments—suggesting the non-existence of trade routes—could never rest securely on it, we find that there certainly were well-known long-distance trade routes by land. Firstly, in the south of the Roman Near East, it is quite clear that trade did cover the vast distance by land from the Yemen through the Hedjaz to the Mediterranean at Gaza or Rhinocoloura. It ran in parallel with a sea trade which might bring goods from the Indian Ocean to either the Egyptian or the Arabian shore of the Red Sea. Goods brought originally by either means might well pass through Petra. But much more evidence would be needed before we could properly characterise Petra as a “caravan city,” rather than as a royal capital, and then modest provincial city, situated in a zone where agriculture was possible, and a number of minor settlements also existed. The emerging evidence of the newly discovered sixth-century papyri from Petra makes this agricultural hinterland visible for the first time.⁵⁶

Rather further north, it is probable that a trade route ran south-eastwards from the Hauran and Bostra through the Wadi Sirhan to Dumatha and then to the gulf. But we have so far no idea of the volume or nature of any such trade, or whether it will have had any effect on the character of cities in the provincial area. Just conceivably, trade from this direction, or that continuing northwards from Petra, may have passed through Gerasa, whose fine central plaza, with its unique oval shape, suggested to Rostovtzeff a possible role as a meeting place for caravans. But given the rich territory of Gerasa, no such explanation for the architectural grandeur of the city is required. As with Damascus itself, where various trade routes may have met, we can only say that the evidence, while it does not exclude, also does not require any characterisation of it as a trading, or “caravan,” city.

It should be stressed emphatically that if long-distance trade by land had been important anywhere, it should have been not in this southern zone but in the north, where traffic along the Fertile Crescent will have reached the Mediterranean, crossing the Euphrates at Zeugma or near Hierapolis and proceeding towards Beroea (Aleppo) and Antiochia, and then the fine ports founded in the early Seleucid period, Seleucia and Laodicea. If we look in the other direction, eastwards to central Asia, all the concrete indications are that traffic followed the Euphrates and Tigris south-eastwards at least as far as

Seleucia on the Tigris, and that it was (at least) characteristic for it to continue further to Mesene. There this land trade route became a sea route, in which ships sailed first to “Scythia,” the north-west corner of the Indian sub-continent, and might go further south along the coast, and on occasion to Taprobane (Sri Lanka) or into the Bay of Bengal.

This is not the place to explore the sea trade in the Indian Ocean, illuminated now by a Greek contract on papyrus drawn up at Muziris.⁵⁷ What is important is to stress that in “Scythia,” as the *Periplus* (39; 48) shows, silk and Chinese pelts were obtainable. According to the *Periplus* (64) goods from China could be brought overland through Bactria and then to northern India, reaching the sea either by being carried down the Ganges to the Bay of Bengal or at Barygaza, one of the ports of “Scythia.”

We can take it as certain, therefore, that caravans did leave the central and northern areas of the Roman Near East, and did travel down the great river systems to the gulf, where the sea trade to India put them in contact with goods brought overland from China. These considerations must raise the question of whether there was indeed a *trade* route following the alternative itinerary which Isidorus maps out in his *Parthian Stations*, from Seleucia north-eastwards across the Zagros, to Media and Bactria—and then hypothetically continuing, as Isidorus’ route does not, eastwards to China. Finds of Chinese products in the Mediterranean area, for instance fragments of Chinese silk at Palmyra,⁵⁸ would obviously, of themselves, not prove the existence of a central Asian route, as opposed to any other. However, it would be absurd to deny that there were indeed a number of land routes through central Asia, or that trade travelled along them, in both directions. The first book of Ptolemy’s *Geography* shows both that such routes were known and that they were used for trade: hence, for instance, Ptolemy’s indication of a journey of 26,280 stades from the crossing of the Euphrates near Hierapolis to the “Stone Tower,” and 36,200 from there to China.⁵⁹

The evidence on these central Asia trade routes cannot be considered here.⁶⁰ All that needs to be asserted is that there were indeed “caravans” using long-distance routes, both within the area of the Roman provinces (which in the 190s came to include northern Mesopotamia) and outside it, and that they characteristically tended to go as far as the “Kings’ Canal” which joined the Euphrates and Tigris. What the relative importance was, after that point, of the overland route north-eastwards and the land-sea route south-

eastwards cannot be determined.

Were there then “caravan cities”? All that can be said is that there were a large number of places through which long-distance trade will have passed. In the case of none of them, with one exception, does the evidence *require* a characterisation in terms of their trading role, as opposed to normal political or social functions, or an economic role in relation to the surrounding territory. But to say that is categorically not to prove a negative; it is to leave the question open.

The one exception is, of course, Palmyra. Even here, modern research has revealed the local geographical factors which made possible the existence of a city, as it has also the existence of an extensive hinterland where agriculture was practised. As it happens, precisely this is demonstrated by the actual character of the famous tax law. It is also of fundamental importance that all our extensive local evidence on the long-distance land (and sea) trade at Palmyra is due to a local variant of one of the most distinctive features of the political structure of the actual city: the honorific inscription as a specimen of the “epigraphic habit.” In that sense, even Palmyra conforms to Finley’s general view that trade has to be seen as “embedded” in a political structure. For what is categorically “embedded” in this sense is the whole of the documentation on which our knowledge of Palmyrene trade depends.

That said, however, the real world which the honorific inscriptions do (partially) reveal is indeed one of caravans organised to travel across the steppe for purposes of trade, with merchants and “chief merchants” and “caravan leaders” taking steps to protect themselves against the nomads, either by negotiation or by suitable payments or by actual physical force. Even Palmyra did not live only by or for long-distance trade. But it is precisely the distinctive nature of the services for which its leading citizens might be honoured which makes it impossible to deny that Palmyra at least was indeed a “caravan city.”

Notes

* First published in M. Austin, J. Harries, and C. Smith, eds., *Modus Operandi: Essays in Honour of Geoffrey Rickman* (BICS supp. 71, 1998), 119–37. An earlier version of this paper was the subject of the Fourth Annual W. Kendrick Pritchett Lecture at Berkeley, which I had the honour to give in April 1992.

1. M. I. Rostovtzeff, *Caravan Cities*, trans. D. Talbot Rice and T.

Talbot Rice (1932).

2. J. Teixidor, *Un port romain du désert. Palmyre et son commerce d'Auguste à Caracalla* (Semitica 34, 1984); E. Will, *Les Palmyréniens. La Venise des Sables* (1992).

3. L. Casson, *The Periplus Maris Erythraei: Text with Introduction, Translation and Commentary* (1989).

4. Text of the *Σταυθμοὶ Παρθυκοί* in C. Müller, *Geographi Graeci Minores* I (1861), 244ff.; Jacoby, *FGrH*, no. 781; see esp. W. H. Schoff, *Parthian Stations of Isidorus of Charax: An Account of the Overland Trade between the Levant and India in the First Century B.C.* (1914).

5. M. L. Chaumont, "Etudes d'histoire parthe. V. La route royale des Parthes de Zeugma à Séleucie du Tigre d'après l'Itinéraire d'Isidore de Charax," *Syria* 61 (1984): 63–107; M. Gawlikowski, "La route de l'Euphrate d'Isidore à Julien," in P. L. Gatier, B. Helly, and J.-P. Rey-Coquais, eds., *Géographie historique au Proche Orient (Syrie, Phénicie, Arabie, grecques, romaines, byzantines)* (1988), 77–98.

6. P. M. Fraser, *Cities of Alexander the Great* (1996), 132–40.

7. For maps of possible routes of the "Silk Road," see, e.g., H. W. Haussig, *Die Geschichte Zentralasiens und der Seidenstrasse in vorislamischer Zeit* (1983), end maps; R. Stoneman, *Palmyra and Its Empire* (1992), 41. See also n. 60 below.

8. M. I. Finley, *The Ancient Economy*² (1985).

9. For Pliny, see the excellent study by M. Beagon, *Roman Nature: The Thought of Pliny the Elder* (1992).

10. *NH* 12.32/63–65, Loeb trans.

11. F. Millar, *The Roman Near East, 31 B.C.–A.D. 337* (1993), 90–91.

12. Strabo, *Geog.* 16.4.23 (781).

13. *Periplus* 19, trans. Casson.

14. Eusebius, *Onomastikon*, ed. Klostermann, 6.

15. *Geog.* 16.2.30 (759).

16. *Geog.* 16.4.24 (781).

17. See C. A. M. Glucker, *The City of Gaza in the Roman and Byzantine Periods* (BAR International Series 325, 1987), 86–93.

18. *Geog.* 16, 2, 20 (756).

19. See text to n. 50 below.

20. For a survey of the urban history of Damascus in antiquity, not considering possible trade communications, see E. Will, "Damas antique," *Syria* 71 (1994): 1–43.

21. See M. Dodinet, J. Leblanc, J.-P. Vallat, and F. Villeneuve, "Le paysage antique en Syrie: l'exemple de Damas," *Syria* 67 (1990): 339–54.

22. See M. Sartre, *Bostra. Des origines à l'Islam* (1985), 54–56; Millar (n. 11), 408.

23. For Dumatha, see Millar (n. 11), 392.

24. Pliny *NH* 6, 146. It should be clear enough that Pliny is totally confused about spatial relationships in this area. See, however, D. T. Potts, "Trans-Arabian Routes of the Pre-Islamic Period," in *L'Arabie et ses mers bordières I: Itinéraires et voyages*, ed. J.-F. Salles (1988), 127–62.

25. *Geog.* 16, 1, 27 (748).

26. Ammianus 16, 3, 3, Loeb trans.

27. Ammianus 23, 2, 3–3.1, Loeb trans.

28. Dio 68, 29, 1.

29. A. F. J. Klijn, *The Acts of Thomas. Introduction—Text—Commentary* (1962), trans. of 109, 18 (p. 121).

30. Petrus Patricius, fr.14 (*FHG* IV, 189). See Millar (n. 11), 178.

31. J. Rougé, *Expositio totius mundi et gentium. Introduction, texte critique, traduction, notes et commentaire* (Sources Chrétiennes 124, 1966), 22: *Sunt ergo Nisibis et Edessa, quae in omnibus viros habent optimos et in negotio valde acutos et bene venantes. Praecipue et divites et omnibus bonis ornati sunt: accipientes enim a Persis ipsi in omnem terram Romanorum vendentes et ementes iterum tradunt, extra aeramen et ferrum.* Since Edessa is mentioned separately at the end of the same paragraph, it does not seem that it can have been named in the first phrase quoted.

32. D. Feissel and J. Gascou, "Documents d'archives romains inédits du Moyen Euphrate (III^e siècle après J.-C.). III. Actes divers et lettres (P.Euphr. 11 à 17)," *JS* 2000: no. 16; cf. H. M. Cotton, W. E. H. Cockle, and F. G. B. Millar, "The Papyrology of the Roman Near East: A Survey," *JRS* 85 (1995): 214–35, no. 33.

33. See Ammianus 23, 3, 8; 24, 1, 10; 2, 4. Cf. 14, 4.

34. Jerome, *V. Malchi* 4 (*PL* XXIII, cols. 55–62). Translated by M. L. Ewald in *Early Christian Biographies*, ed. R. J. Deferrari (1952), 281ff.

35. D. Schlumberger, *La Palmyrène du Nord-ouest* (1951).
36. J. F. Matthews, "The Tax Law of Palmyra: Evidence for Economic History in a City of the Roman East," *JRS* 74 (1984): 157–80.
37. Josephus, *Ant.* 8, 153–54, Loeb trans.
38. Appian, *BC* 5, 9, 37–38.
39. For the known fragments, from Palmyra itself and Dura, see Cotton, Cockle, and Millar (n. 32), nos. 2, 153; the latter is listed also as *PAT*, no. 152.
40. All the known inscriptions relating to Palmyrene trade are conveniently listed by M. Gawlikowski, "Palmyra as a Trading Centre," *Iraq* 56 (1994): 27–33, on 32–33. Those referred to in this paper will have their numbers in *PAT* added.
41. *CIS* II.3, no. 3924 = *Inv.* IX, no. 6A = *PAT*, no. 0270.
42. *CIS* II.3, no. 3915 = *Inv.* IX, no. 11 = *PAT*, no. 1352.
43. *CIS* II.3, no. 3936 = *Inv.* IV, no. 13 = *PAT*, no. 0282.
44. *Inv.* X, no. 96 = *PAT*, no. 1405.
45. Gawlikowski (n. 40), 29.
46. For the evidence and references, see K. Parlasca, "Ausw ^{aa}rtige Beziehungen Palmyras im Lichte arch ^{aa}ologischer Funde," *Dam. Mitt.* 6 (1992): 257–65, on 258.
47. *Inv.* X, no. 44 = *PAT*, no. 1378.
48. See M. Gawlikowski, "Palmyra et l'Euphrate," *Syria* 60 (1983): 53–68; Millar (n. 11), 115, 133–34.
49. H. J. W. Drijvers, "Greek and Aramaic in Palmyrene Inscriptions," in *Studia Aramaica: New Sources and New Approaches*, ed. M. J. Geller and J. C. Greenfield (1995), 31–42, on 33–39, with pl. 2. Not included in *PAT*.
50. See Millar (n. 11), 183–84; see T. Bauzou, "Epigraphie et topographie: le cas de la Palmyrène du sud-ouest," *Syria* 70 (1993): 27–50.
51. *Pseudo-Clementine Recognitiones*, *Homelies* 12–13.
52. Galen, *de simplicium medicamentorum temperamentis*, ed. Kühn, vol. XII, 215; text with translation in Stern, *Greek and Latin Authors* II, no. 385, whose translation is used here.
53. See Casson (n. 3), esp. 16–17, 192–93.
54. Pliny, *NH* 12, 31.

55. See H. Seyrig, "Caractères de l'histoire d'Émèse," *Syria* 36 (1959): 184–92.
56. L. Koenen, "The Carbonized Archive from Petra," *JRA* 9 (1996): 177–88.
57. See, e.g., the articles collected in *Topoi Orient-Occident* 3.2 (1993), under the title "Inde, Arabie et Méditerranée orientale."
58. See, e.g., Parlasca (n. 46).
59. Ptolemy, *Geog.* 1, 11, 3.
60. A full study of this question would require a survey of archaeological finds both along the possible routes and at either end, as well as an analysis of literary and documentary evidence relating to journeys, and to social and economic structures. For some relevant approaches, see, e.g., M. Raschke, "New Studies in Roman Commerce with the East," *ANRW* II.9.2 (1972), 604–1361; W. H. Haussig, *Die Geschichte Zentralasiens und der Seidenstrasse in vorislamischer Zeit* (1983); R. Whitfield and A. Farrer, eds., *Caves of the Thousand Buddhas: Chinese Art from the Silk Route* (1990); Stoneman (n. 7), chap. 2: "Of Spices, Silk and Camels." See also the papers from an international conference on "Palmyra and the Silk Road," held in Palmyra in 1992 and published as a special issue of *Annales Archéologiques Arabes Syriennes* 42 (1996). I was very grateful to Jessica Rawson for a valiant attempt to reduce my ignorance in this area.

CHAPTER TWELVE

Looking East from the Classical World: Colonialism, Culture, and Trade from Alexander the Great to Shapur I



The emperor Trajan's arrival at the head of the Persian Gulf in A.D. 116 was the only visit there by a Roman army in the course of the wars against the Parthian and Sassanid empires which continued sporadically for centuries. The occasion gave rise to a well-known and illuminating anecdote, told by Cassius Dio in his *Roman History*. As it happens, both the author and his *History* themselves illustrate the relationship between the classical world and Asia; for Dio was a Greek who came from Bithynia, the north-west corner of modern Turkey, but who was also a Roman senator, and was twice consul in the early third century. Looking back to Trajan's campaign a hundred years earlier, he writes in book 68 of his eighty-book *History* in Greek: "Then he came to the Ocean itself, and when he had learned its nature and had seen a ship sailing to India, he said, 'I would certainly have made an attempt against the Indians, if I were still young.' For he began to think about the Indians, and was curious about their affairs, and said how lucky Alexander had been."¹

The anecdote exemplifies one aspect of the relationship between the classical world and the peoples of Asia: imperialist dreams and ambitions, and actual conquest, whether long-lasting or ephemeral. Along with this went an ideology of colonialism underpinning a vision of the export of Greek, or Graeco-Roman, city life and civilisation to distant lands. These goals cause conceptual, and even moral, problems for us, obliging us to ask whether we can detach ourselves from a Western imperialist perspective. The difficulty arises not only from our lack of linguistic and scholarly training in the numerous and varied cultures, languages, and scripts in use in ancient Iran, central Asia, and India, but also from the lack in some areas of "native" written evidence, or the existence only of texts whose date and character is profoundly uncertain. In parts of Asia, the only "Asian" culture or belief system encountered turns out to have been one constructed by Graeco-Roman observers. Detaching oneself from a "classical," or Western, perspective, therefore, is more difficult than it

might appear at first glance.

This essay will look eastwards from the Mediterranean. It will set out the broad lines of Graeco-Roman military and political involvement in Asia, from the Mediterranean through Iran to central Asia and northern India; point to the surviving traces of Greek culture and language from these regions; and discuss for which possible trade routes to the East we have reliable contemporary evidence for the Roman imperial period. To say that we do not have reliable evidence for a supposed trade route is not to claim that no such route existed. None the less, no adequate contemporary evidence survives from the classical period to demonstrate the existence of a “Silk Road” crossing central Asia to China.

Beyond the concrete, prosaic issues of wars and states, documents and traders, lie more complex questions of cultural and religious history, and of profound mutual influence. The essay does not attempt to explain, for example, the influence of Babylonian mythology and astronomy, or of “Zoroaster” and “Iranian dualism.” Nor does it explain the origins and spread of Manichaeism, or of the preaching of Christianity in Asia. But it does examine the two remarkable Hellenistic inscriptions which represent the only known expression of Buddhism in classical Greek.

The essay focuses on the six centuries following Alexander’s conquests. The culture of archaic Greece, from the eighth to the sixth centuries, and contemporary with the Neo-Assyrian, Babylonian, and Achaemenid Persian empires, emerged in the shadow of the major Near Eastern cultures, of Anatolia, Phoenicia, Egypt, and Babylonia. Several key developments, for instance, the derivation of the Greek alphabet from the Phoenician and the debt of Greek conceptions of the gods to Egypt, were recognized by Herodotus as early as the fifth century B.C.² The importance of Babylonian mythology for early Greek literature, on the other hand, was unknown to Herodotus, and has only become clear in the course of the nineteenth and twentieth centuries, with the publication of Akkadian texts.³ Whether we think of art, literature, astronomy, or conceptions of the world, the debt of early Greece to “Asia” is accepted by everyone and is the subject of important scholarly works.⁴

The “classical” period of Greek history, following the successful Greek resistance to the invasions by Darius and Xerxes in the Persian wars, was shaped by political and military relations with the Achaemenid Empire. For much of the sixth, fifth, and fourth centuries,

the Persians ruled the western shores of the Aegean, where a large number of Greek cities were located, and Persian control extended round the eastern shores of the Mediterranean as far as Egypt and much of present-day Libya, where there had also been extensive Greek settlement. The relationship between the Greek world and Persia, and the Greeks' resistance to Persian conquest, was of course the subject of Herodotus' *Histories*, of Xenophon's *Anabasis* and to a certain extent of his *Hellenica*, and of Isocrates' remarkable analysis of the political situation of the Greek world as it was in 380 B.C., the *Panegyricus*.⁵

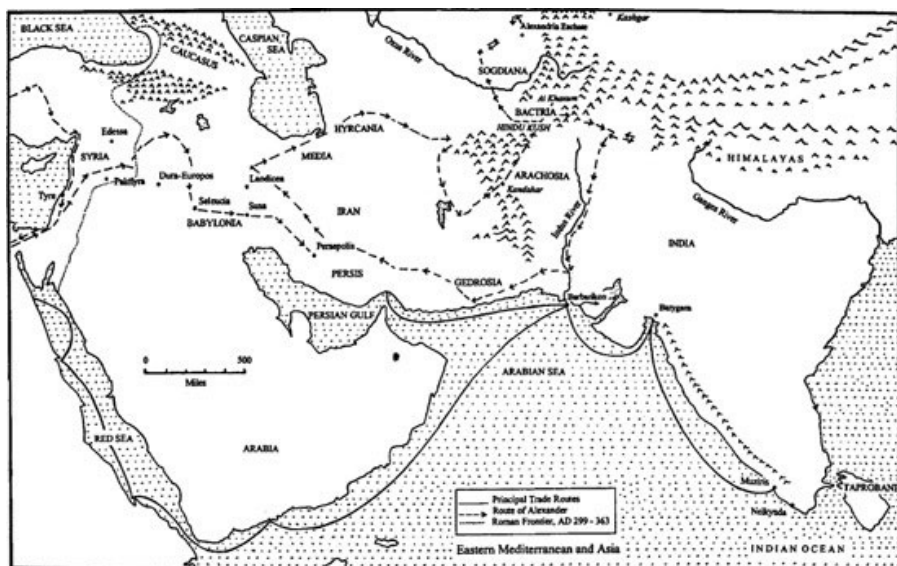
The cultural and artistic influences of the period are difficult to evaluate, not least because the empire ruled by the Persians embraced so many contrasting cultures, from Anatolia (with its Greek cities) to Phoenicia, Egypt, Babylonia, and their own homeland of Iran (the great mystery) itself. Although important exchanges in art and architecture occurred,⁶ most significant for the future was the emergence in the fifth and fourth centuries of a Greek ethnic, or consciously national, identity, which contrasted Greeks with *barbaroi*.⁷ With that identity came indications of a claim to military and political superiority. As Greeks, for instance, practised athletics naked, in the sunlight, Xenophon records that at Ephesus in 395 the king of Sparta ordered that Persian prisoners being put up for sale should be stripped, to show their Greek captors how soft and white their bodies were.⁸ Such attitudes led to a tendency to see non-Greeks in Asia as "lacking in spirit," and as not in possession of, or being incapable of exercising, political rights.⁹ From this followed the perception that the Persian Empire might not be as strong as its vast extent suggested, an argument made by Isocrates in the *Panegyricus* on the evidence of the "Anabasis," the "march up-country," in 401 in support of Cyrus' claim to the Persian throne. Cyrus' forces had included Greek mercenaries, among them Xenophon himself, on whom Isocrates based his claim that the empire was more vulnerable than it seemed.¹⁰

When a new power, the Macedonian kingdom, arose in the mid-fourth century on the northern borders of the Greek world, it was Isocrates again who in 346 petitioned Philip II to take up an explicitly imperialist and colonialist role against Persia on behalf of the Greek world, partly to provide employment for the large numbers of unsettled mercenaries who, Isocrates believed, were destabilizing it:

What opinion must we expect the world will have of you . . . if you undertake to conquer the whole empire of the King, or, at any rate, to wrest from it a vast extent of territory and sever from it—to use a

current phrase—“Asia from Cilicia to Sinope” [western Asia Minor]; and if, furthermore, you undertake to establish cities in this region, and to settle in permanent abodes those who now, for lack of the daily necessities of life, are wandering from place to place and committing outrages upon whosoever they encounter?¹¹

This is not the place for any detailed account of how Philip’s son Alexander (r. 336–323 B.C.) not only fulfilled this programme but also exceeded it.¹²



Alexander’s conquests may be divided into two distinct phases with markedly different long-term consequences. The first phase, which itself exceeded anything Isocrates had envisaged, may be defined as the termination of the Persian dynasty by the conquest of the parts of the Near East with which the Greeks were familiar—Anatolia (though not all of it at first), Syria, Palestine (hence, with momentous consequences, the small Jewish community), Egypt, and Babylonia, which, as a prosperous settled area with an ancient culture, was one of the heartlands of the Persian Empire¹³—and by the capture of the Achaemenid “capitals,” Susa and Ecbatana.

There followed in phase two Alexander’s still almost entirely unintelligible expedition across Iran and central Asia to present-day Afghanistan and Tajikistan, before turning south to the Indus Valley, and home again by way of a gruelling march along the northern shores of the Indian Ocean and the eastern shores of the Persian Gulf (see map).¹⁴

Both phases of conquest had important long-term effects. The first

created a “Greek” world in Anatolia, the Levant, and Egypt, and to a lesser degree in Mesopotamia, which lasted for more than a thousand years. The second gave rise to the imperialist and colonialist dreams which were to haunt the Roman Empire from the late Republic into the Christian period, and to complex cultural interchanges, still very little understood, of which the existence of the two Greek Buddhist texts discussed below is a pointed reminder. Alexander’s march also marked out the part of Asia with which the classical world would become reasonably familiar, and with which it enjoyed regular contact during the Roman imperial period. Of the area beyond Alexander’s march, little or nothing was known.

Viewed from the Mediterranean, the part of the Near East stretching from present-day Turkey to Egypt became, as a result of Alexander’s conquests, effectively Greek. Greek culture was dominant, Greek cities and Greek architecture were visible everywhere, and the Greek language used both for monumental inscriptions and perishable documents. The depth of the penetration by Hellenism, the nature of Greek settlement and colonialism, and the character of the principal successor state, the Seleucid kingdom, which inherited many features of the Persian Empire, have all, however, been the subject of vigorous debate. Owing to the Seleucid monarchy’s use of official languages other than Greek (for instance, Aramaic and Akkadian), it has recently been portrayed as a Near Eastern rather than a Greek state in a cultural as well as geographical sense.¹⁵ None the less, the dominance of Greek forms of political organisation and of the Greek language survived the defeat of the Hellenistic kingdoms by the Roman Republic in the second and first centuries B.C., and lasted throughout the Roman imperial period, long after 312, when the emperor Constantine converted to Christianity. The frontier of the Empire lay along the middle and upper Euphrates, until it advanced to take in all, and then (after a defeat by the Sassanid Persians in 363) most, of northern Mesopotamia.

Of course, there is evidence of the continued use of local languages in Anatolia, and of various dialects of Aramaic in Syria, and of Hebrew and Jewish Aramaic in Judaea. The Jewish community was the sole example, however, of a national tradition, embodied in Semitic-language texts, which persisted throughout the Graeco-Roman period. From the third century B.C. onwards, the books of the Hebrew Bible were progressively translated into Greek, making possible the extension of Christianity to gentiles and the writing of Christian

Scriptures in Greek. The spread of Christianity in turn promoted the emergence of Christian “languages of culture” other than Greek, for instance, Coptic, Syriac, and Armenian, and of non-Greek forms of Christianity that survive to the present day.¹⁶

During the classical period itself, with the exception of a few periods of Jewish independence, some long, others short—the Hasmonean state, which freed itself from Seleucid rule step by step from the 160s to 129 B.C. and remained independent until 63 B.C.; the revolt of A.D. 66 to 73; and the Bar Kochba revolt of 132–35—few non-Greek political structures were to be found west of the Euphrates during the millennium from Alexander to Muhammed (the Nabataean kingdom of the first century A.D. would be a partial exception). In the eyes of Graeco-Roman observers, the only local culture and religious tradition which represented anything distinctive, troubling, or worthy of comment was Judaism.¹⁷ These two statements are true even of Egypt, despite the persistence of Egyptian temples and priests, of monumental (hieroglyphic) and cursive writing in Egyptian, and of Egyptian art and architecture (though Egypt represents too complex and individual a case in cultural history to be explained here). With few exceptions, the Graeco-Roman observer saw the Near East as Greek, marked out by a network of Greek cities and, from the fourth century onwards, by Christian churches and bishoprics.

Anatolia remained Greek and Christian until the Turkish advances of, broadly, the eleventh century. In spite of the settlement there of a Celtic population, the “Galatians,” in the third century B.C., the use of Phrygian for public inscriptions in the Roman period, and the persistence of Phrygian and Lycian architectural styles, the cultural and religious history of Anatolia, even of inland areas—let alone the Greek cities along the coast—from the Hellenistic period to the late Empire is the history of Greek culture, in both city and country.¹⁸ The same is true, despite the visibility of Semitic languages, to the south of Anatolia.¹⁹

To think, when looking at the Near East, of the classical world and Asia as two different worlds, or of the latter as a foreign, “Asian” world as seen from the Mediterranean, is entirely to misconceive the situation. West of the Euphrates, and in some areas east of it, the Near East was a part of the classical world. Our contemporaries who make historic claims to the Holy Land might recall that, for a thousand years, it was part of the Greek world, for seven hundred years was ruled by Rome, and for three hundred years was part of a Christian

Greek world.

When we look beyond the Euphrates, the historical framework is profoundly different: classical writers offer representations of societies there which were in various ways “foreign” and “oriental.” Alexander’s conquests, which marked out the area of which the classical world knew and had continuing contact with, extended to regions characterised by different language groups, social structures, religious systems, and cultures. First was Mesopotamia, particularly the southern part, Babylonia, heir to a long cultural tradition, persisting under successive empires. Writing in Akkadian, using the cuneiform writing system developed from the late fourth millennium, persisted throughout the Hellenistic period into the first century A.D.; the latest cuneiform tablet so far known dates to A.D. 74–75, and is thus contemporary with Vespasian.²⁰ Second, further east, was the vast Iranian plateau, the culture of which is immensely difficult to characterise; it remains an empty space on the map of the cultures of Asia. Third, beyond Iran, was the region classical writers called “Arachosia” and “Bactria,” roughly modern Afghanistan, Uzbekistan, and Tajikistan, in which scattered evidence reveals a powerful imprint of Greek imperialism and colonialism. Finally, there was India (primarily the Indus Valley, now in Pakistan), which attracted more attention and stimulated more ethnographic—or pseudo-ethnographic—writing in Greek and Latin than the other three regions combined: Herodotus and other Greek writers had spoken of India even before Alexander’s expedition. The high profile of India was partly the legacy of the detailed accounts left by writers of Alexander’s time and of the early Hellenistic period; and it was partly explained by the existence under the Roman Empire of well-established trade routes from the Mediterranean to India, by sea from Egypt, or by a combination of land and sea through Mesopotamia. The sight of a ship setting sail for India had made Trajan think longingly of following in the footsteps of Alexander.

A survey of the relations between the Greek and Roman world and this series of regions should begin by recalling that Alexander had travelled south-east across the Fertile Crescent to Babylonia, Susa, and Persis, then north and north-east to Media and Bactria, and then south again to the Indus Valley. With what conceptions, and with what long-term goals (if any) Alexander and his forces had approached the cultures and societies they encountered, it is hardly possible now to know. It may not be an accident, however, that the clearest and most

emphatic *attribution* of a motive to Alexander in classical literature comes from centuries later, and dates to precisely the period of Trajan's campaigns in the East. At that time, Plutarch wrote his *On the Fortune of Alexander*, in which he portrayed Alexander as bearing the benefits of Greek civilisation to the barbarians:

But if you examine the results of Alexander's instruction, you will see that he educated the Hyrcanians to respect the marriage bond and taught the Arachosians to till the soil, and persuaded the Sogdians to support their parents, not to kill them, and the Persians to respect their mothers and not to marry them. . . . When Alexander was civilising Asia, Homer was commonly read, and the children of the Persians, of the Susianians and of the Gedrosians learnt to chant the tragedies of Sophocles and Euripides. . . . Thus Alexander's new subjects would not have been civilised, had they not been vanquished. Egypt would not have its Alexandria, nor Mesopotamia its Seleucia, nor Sogdiana its Prophthasia, nor India Boukephalia, nor the Caucasus (the Hindu Kush) a Greek city near it.²¹

There is no doubt that Alexander, and later the Seleucids, did found many Greek cities in Asia, though predominantly in Syria, Mesopotamia, and Bactria.²² Those that can be identified in the Iranian plateau are located along the north-eastern edge, like Laodicea in Media; in the south, between the Zagros Mountains and Mesopotamia proper, like Seleucia on the Eulaeus, the ancient Susa; or (probably) on the Persian Gulf, like Antiochia in Persis. The plateau itself, in this respect as in so many others, remains largely a blank. Plutarch's idealising conception that a "civilising mission" had characterised Alexander's campaign and that Greek culture and social norms had been communicated to a variety of Asian societies should not be allowed to colour our analysis of his actions.²³ None the less, even Plutarch, though imperialist in his belief in the superiority of Greek *culture*, does not speak in racist terms. Greek writing on Asia is not marked by particular attention to physical type or skin colour, or by the attribution of inherent racial characteristics.

If racialism was not a significant factor, both imperialism and colonialism were. Whatever the uncertainties in the evidence, we can be certain that a number of "Alexandrias" and other Greek cities were founded in central Asia, from Alexandria Eschate ("the furthest") in ancient Sogdiana (Tajikistan) to "Alexandria in Arachosia" (Kandahar). One of these Greek cities, whose ancient name is unknown, and whose remains were discovered at a site called Ai

Khanum on the banks of the Amu Darya (the Oxus) in Afghanistan, was extensively excavated from 1965 until war brought work to a halt in 1978.²⁴ With almost too perfect an appropriateness, one of the Greek inscriptions found there contains a set of maxims copied from those set up at Delphi, five thousand kilometres to the west.²⁵

The evidence hardly allows us to see what happened to these small, distant Greek cities in rapidly changing circumstances. We know that, in the last years of the fourth century B.C., Seleucus I withdrew from northern India and extensive areas to its north-west (“Gedrosia” and “Arachosia” to the Greeks) before the first king of the Mauryan dynasty, Chandragupta (“Sandrakottos” in Greek texts). In Bactria, further north-east, independent or semi-independent Greek kingdoms arose in the third century B.C. and continued until the second century. The scatter of small Greek inscriptions from central Asia shows that the language remained in use (alongside Aramaic), without telling us whether it was used only by colonists, or by administrators using Greek, or whether its use had spread, as Plutarch’s words suggest, widely among non-Greeks. Nothing prepares us for the official use of Greek by Chandragupta’s grandson, the renowned king Asoka (probably 265–228 B.C.), a convert to Buddhism, whose great series of moralizing edicts, carved on rock faces or pillars over almost all of India, from south to north, represents the earliest written evidence for the history of the sub-continent.²⁶ Even though we cannot know who precisely was being addressed, one is still amazed, forty years after the first of the Greek edicts was published, to read Asoka’s message as expressed in two Greek inscriptions discovered in Kandahar.

The first edict is accompanied by an Aramaic version, an important fact in itself, and reads as follows:

Now that ten years have been completed, the king Piodasses [Asoka] has demonstrated piety to men, and from that time on has made men more pious, and everything prospers over all the land, and the king abstains from [eating] living things, and the other men, even such as are the king’s hunters and fishermen, have ceased to hunt, and if any are uncontrolled they have ceased from their excess as far as they can, and [are] obedient to their fathers and mothers and their elders to a degree not seen before; and for the future, acting in accordance with all these principles they will conduct themselves in a more desirable and better way.²⁷

Less attention has been paid to the second inscription of the pair, published in 1964,²⁸ a remarkable text only once reproduced for study

by classical historians, and none of it, in its Greek version, ever translated into English.²⁹ The text, containing the end of Edict XII of Asoka and the beginning of Edict XIII—in which he expresses his remorse over the slaughter in the recent war in Kalinga—appears, in this case, only in Greek and has been inscribed on a building block. As Daniel Schlumberger observes, it is an adaptation rather than a literal translation of the Indian versions which are known from elsewhere.

It may be sufficient to translate here the first few lines of Edict XIII, referring to the Kalinga war:

While Piodasses was in the eighth year of his reign, he conquered Kalinga. There were captured and deported from there 150,000 persons, and another 100,000 were killed, and almost as many others died. From that moment remorse and pity took hold of him, and he was grieved. In the same way as he ordered that men should abstain from [eating] living things, he exercises zeal and effort in the pursuit of piety [*eusebeia*]. And this the king has felt with still greater displeasure; [that?] such as dwelt there who were Bramenai or Sramenai, or also any others who spend their lives on piety . . . if any of these following such a way of life has died or been deported . . .

To a study of the classical world's relationship with Asia, the edicts and minor inscriptions of Asoka are of greater significance than might be supposed. It is striking enough to read an expression of Buddhist doctrines in Greek. With the exception of the undeciphered Indus Valley Script of the third and early second millennium, the inscriptions of Asoka are, in fact, the earliest written documents from the Indian sub-continent. Apart from Greek and Aramaic, the edicts were written in a set of dialects related to Sanskrit, and called Prakrit; the balance of scholarly opinion is that the two scripts used for the Prakrit versions, namely Kharosthi (confined to the north-west, and always written right to left) and Brahmi (normally written left to right), both derived from Aramaic.³⁰ Thus, both the languages and scripts used by Asoka suggest that monumental writing in India owed its origins to the influence of the Achaemenid Empire, in which Aramaic was widely used as an official language, and of the Seleucid Empire, in which Aramaic was still used alongside the primary language, Greek.

Elsewhere in his edicts (in the so-called Fifth Major Rock Edict), Asoka does indeed list Greeks as being among the peoples of his empire, and he also refers to “the Greek king named Antiochus” (Antiochus II, 261–246 B.C.). It is unfortunate that the Greek text of

Edict XIII breaks off where it does, for here, according to the Prakrit versions, Asoka goes on to refer again to Antiochus, and also to other Hellenistic kings: “and beyond the realm of that Antiochus, in the lands of the four kings named Ptolemy, Antigonos, Magas and Alexander . . .”³¹

No hint of interaction between Greek thought and Buddhism appears in any pagan classical source, and, in the surviving Greek literature, the earliest mention of the Buddha by name is by the Christian writer Clement of Alexandria at the end of the second century.³² Classical narratives of the history of the Greek successor states which replaced the Seleucids in the Bactrian area, and lasted into the second century B.C., are also very slight. It is not worth summarizing here the complex and uncertain sequences of rulers and dynasties which can be worked out, primarily from their exceptionally beautiful and impressive coins with Greek legends.³³ Polybius’ narrative of Hellenistic history, fragmentary as it is, does touch on this area, however, in connection with the march into Central Asia by the Seleucid king Antiochus III, “the Great,” in the last years of the third century B.C. Polybius represents one of the local Greek kings, Euthydemus, as defending his usurpation of power on the grounds that Seleucid control of the region had broken down earlier, and that threats by nomad invaders meant that if the area were not defended it would soon be “barbarised” (*ekbarbarō th ē sesthai*).³⁴

Greek rule in Bactria did in the end disappear, though not as immediately as Euthydemus feared. One of the most striking revelations of the past decade is the publication of the first perishable document discovered in a Greek kingdom in Bactria, a Greek parchment, apparently of the first half of the second century B.C. The text, fragmentary as it is, reflects a fully Hellenised regime: “In the joint reign of the God Antimachus and of Eumenes and Antimachus . . . year 4, month Olous, in Asangorna when [. . .] was guardian of the law [*nomophylax*], Menodotus the tax-gatherer [*logēutēs*] . . .”³⁵ Later in the century, Bactria was conquered by the Sakas or Shakas, whose kings continued to use Greek titles and Greek coin legends. In the meantime, however, Greek rulers, who naturally continued to use Greek on their coinage, had extended their control south of the Hindu Kush mountains to the northern part of the Indian sub-continent. It was only in the first century A.D. that both this area and Bactria fell under the rule of the Kushans, who also initially used Greek for their coin legends.³⁶ John Boardman’s study of the diffusion of Greek art

shows how profound its influence still was, for instance, on “Gandharan” sculpture and on the earliest sculptural representations of the Buddha, which date to the first century A.D.³⁷ Perhaps the most striking item is the coin of the Kushan king Kanishka, probably dating to the early second century A.D., which bears a representation of the Buddha on the reverse, accompanied by the Greek legend *BO*  *O*.³⁸

The reign of Kanishka offers some of the most remarkable of all the evidence for the profound and long-lasting influence of Greek in Afghanistan and northern India. His coins show a transition from the use of royal titles in Greek to ones in an Iranian language conventionally labelled “Bactrian.” But the script used continues to be Greek, with the addition of one letter, shaped somewhat like a Greek *rho* (*P*), but with the vertical stroke continued upwards, which was used for the sound “sh.” A truly remarkable find is an extensive inscription of the first year of Kanishka’s reign, found in 1993 at Rabatak in Afghanistan, and written in Bactrian using this version of the Greek alphabet. The text, proclaiming the king’s assumption of power, with divine favour, and recounting the cities in northern India which he ruled, records explicitly that “Kanishka the Kushan” (*Kan ē shke koshano*) “issued a Greek edict and [then] put it into Aryan.” A substantial group of Bactrian documents, one written on copper and the others on perishable materials, dating to the fourth to eighth century, and still using a cursive variant of the same (more or less) Greek alphabet, awaits publication.³⁹ The edict is evidence of the length of both Greek and Iranian influence in the region. Perhaps only the great inscription of the second Sassanid king, Shapur I (who reigned in A.D. 240–47), surpasses it as testimony to the long-lasting importance of Alexander.

As we have reached the period when both a well-established sea route and a land-sea route linked the Mediterranean with India, it is time to turn back to examine the (paradoxically) less well attested, and more mysterious, relations of the Graeco-Roman world with Iran. The area is geographically closer to the Mediterranean, and its successive rulers either were (for a time) themselves Greek, during the first part of the Hellenistic period, or alternatively were in close contact, and often conflict, with the Graeco-Roman powers, as was the case with Achaemenid Persia, Parthia, and Sassanid Persia. The mystery arises out of the lack of contemporary evidence in any Iranian language. This is true of the Achaemenid Persian Empire, from which the only

strictly *Persian* documents are royal inscriptions in Old Persian, written in cuneiform, as were Achaemenid documents in Elamite or Akkadian. Whether there was also an alphabetic (or any other) system for writing Old Persian on perishable materials is a matter of speculation; the thousands of administrative documents known from Persepolis are written mainly in Elamite, but also in Aramaic.

There is an equal silence for the period of Hellenistic control of Iran, and an almost equally complete one from the Parthian period. It was of great political and strategic significance that a little-known Iranian people, the Parthians, replaced the Seleucids in Iran in the early second century B.C. and extended their empire to Babylonia and the middle Euphrates later in the century. The Parthian Empire was to be the main adversary of the Romans in the Near East; Trajan had marched against them on the campaign which took him to the Persian Gulf. Although there is some documentation written on perishable materials or on fragments of pottery, and some coin legends, to show that Parthian, an Iranian language, could be written using the Aramaic alphabet,⁴⁰ not a single item of literature in an Iranian language survives from the Parthian period, which lasted for more than four centuries until the 220s A.D., when the Parthian kings were replaced by a new Persian dynasty originating from Fars (Persis) in the south of Iran, the Sassanids.

The Parthians ruled over much the same area as the Seleucids, except that they never conquered Syria, and within their territories Aramaic was widely used, as it had been under the Achaemenids and the Seleucids. Akkadian survived in Babylonia at least until towards the end of the first century A.D., and Greek cities, deriving from early Hellenistic colonisation, like Seleucia on the Tigris and Seleucia on the Eulaeus—the ancient Persian city of Susa in Elymais (Elam)—flourished in the Parthian Empire. There was also the (now) famous small Hellenistic settlement of Dura-Europos on the Euphrates, which was excavated, if not exactly by, at any rate under the direction of, Franz Cumont and Mikhail Rostovtzeff in the 1920s and 1930s. Thus, the Parthian Empire was a multi-cultural, or multi-ethnic, world in which the culture least visible to us was that of the Parthians themselves. Although the original documentation surviving from the region in this period is scanty, a significant amount of what there is was written in Greek. In other words, the Parthian Empire was, in one respect, just another late Hellenistic kingdom.

Take, for instance, the two long Greek parchments of the first

century B.C. (88–87 and 22–21 B.C., respectively), whose origin E. H. Minns, when publishing them in 1915, describes in terms which now seem striking: “Avroman is a town in Persian Kurdistan lying close to the Turkish Frontier.”⁴¹ In fact, the place of origin lies in the foothills of the Zagros, north-north-east of Baghdad, in present-day Iraq. The dating of the earlier of the two parchments perfectly reflects the character both of the Parthian kings as late Hellenistic monarchs and also the power relations of the time: “In the reign of the King of Kings, Arsaces, benefactor, just, manifest, philhellene, and of the Queens, Siace his compaternal sister and wife and Aryazate surnamed Automa, daughter of the great King Tigranes (of Armenia) and his wife . . .” Next, one might cite the inscription of A.D. 21 containing a letter in Greek from the Parthian king, Artabanus III, addressed to the city of Susa on the Eulaeus;⁴² or, perhaps more indicative, a series of nine business and legal documents written in Greek on parchment, found in Dura-Europos and dating from the last eighty years of Parthian rule, before the Roman advance of the 160s.⁴³ Although Dura-Europos was a Greek settlement, this evidence for the conduct of public legal business there in Greek none the less reveals the workings of the Parthian Empire. Equally striking in a different way is the bilingual text from the mid-second century A.D. inscribed on a statue of Herakles to record that the Parthian king Vologaeses IV had taken it as part of the spoils when he captured Mesene at the head of the Persian Gulf and brought it back to Seleucia on the Tigris. The Greek text is accompanied by one in Parthian, written as always in Aramaic letters.⁴⁴

Although Greek was a normal and established language for public documents in the Parthian Empire, the Iranian languages—first Parthian, then Persian proper, then others (apart from “Bactrian,” which used Greek letters)—borrowed from Aramaic, the alphabet which they were to use for written texts. This complex evolution is dramatically illustrated by the earliest document of the Sassanid Persian Empire, which replaced the Parthian Empire in the 220s. Shapur I left at Naqsh-e Rostam near Persepolis in southern Iran a long public record of his military and civil achievements, inscribed in Greek, Parthian, and Middle Persian, the latter two again using the Aramaic alphabet, written from right to left.⁴⁵ The vast Greek text in which Shapur describes his wars against Rome in the 240s and 250s and explains the principles of his civil government may be regarded as the ultimate testimony to the long-lasting legacy of Alexander’s conquests six hundred years earlier.

The late borrowing of an alphabetic script for writing Persian is of crucial importance, as is the fact that for the whole of the Sassanid period, which lasted until the Islamic conquests of the seventh century, we have no contemporary manuscripts of works written in Persian or other Iranian languages, except for Manichaean manuscripts from central Asia.⁴⁶ There are literary works of the Islamic period which are written in Persian, and which are claimed to have been compiled in the Sassanid period, or to be based on works of that period, but there are no actual manuscripts. We might contrast with this silence the long list of ancient papyri with texts, fragmentary or extensive, of Greek (and some Latin) literary works, or the striking series of dated Syriac manuscripts, beginning with one written in Edessa in A.D. 411, now in the British Museum.⁴⁷ From Iran there is nothing comparable.

Out of this silence emerges the most remarkable case of the construction, or representation, of an “oriental” religious system by Greek, and later also Roman, writers: Zoroastrianism. It is not claimed here that we can *know* that the conventional account of Zoroaster, of his teaching, and of its diffusion in Iran is a fiction; only that, so far as evidence from antiquity is concerned, our (supposed) knowledge of Zoroastrianism depends entirely, and without exception, on Graeco-Roman representations. However, this view is not conceded in the standard works of reference. P. V. Skjaervo, speaking of the central text of medieval and modern Zoroastrianism, the *Avesta*, remarks: “The oldest Avestan texts are approximately contemporary with the *Rigveda* (second millennium B.C.E.), while the younger texts date from the first millennium B.C.E.; they were transmitted orally and written down only in the mid-Sasanian period, the fifth–sixth centuries C.E. (though the oldest manuscripts date only from the 13th century).”⁴⁸

The history of Zoroaster is, in fact, derived solely from claims made within the Zoroastrian texts themselves; the earliest references to Zoroaster contained in texts in Iranian languages are found in Manichaean writings discovered in central Asia. It is exceedingly difficult to date these manuscripts, or the works which they contain, but none can be earlier than the lifetime of Mani himself, the third century A.D., and most must be much later.⁴⁹ The specifically Zoroastrian texts comprise a set of religious writings of the Islamic period which project the figure of Zoroaster, and the story of the *Avesta* as a text, back into the remote past.

The *ancient* evidence for Zoroaster, his date, and his teachings is all,

without exception, Graeco-Roman. It begins with Xanthos the Lydian in the late fifth century B.C., who claimed that Zoroaster lived six thousand years before Xerxes invaded Greece, and continues throughout the classical period.⁵⁰ Classical sources provide by far the earliest representations of Zoroaster as an Iranian sage located in the remote past, whose teachings expressed a dualistic view of the world. The most informative of these texts is a passage from Plutarch's essay *On Isis and Osiris*, a work written in the early second century A.D.:

The great majority and the wisest of men hold this opinion: they believe that there are two gods, rivals as it were, the one the Artificer of good and the other of evil. There are also those who call the better one a god and the other a daemon, as, for example, Zoroaster the sage, who, they record, lived five thousand years before the time of the Trojan War. He called the one Oromazes and the other Areimanius; and he further declared that among all things perceptible to the senses Oromazes may best be compared to light, and Areimanius, conversely, to darkness and ignorance, and midway between the two is Mithras; for this reason the Persians give to Mithras the name of "Mediator."⁵¹

The conclusion is obvious. No problem arises from Plutarch's reference to the major Iranian deity, Ahura Mazda, for the great inscription of Darius I, from the late sixth century B.C., written in old Persian, proclaims the king as his worshipper. Neither in this long inscription, however, nor anywhere else in the scanty Iranian evidence from before the early medieval period, is there any allusion to an ancient teacher named Zoroaster.

The reader might reasonably object that the manuscripts of Plutarch's works, too, are medieval. So they are. The fundamental difference, however, is that the texts of classical authors such as Plutarch, while mainly derived from medieval manuscripts, can be tied into a dense interlocking network of ancient papyrus texts and of ancient documents, both papyri and inscriptions, some naming Plutarch himself, as well as many other persons who appear in his *Lives* and *Moral Essays*. In this case, therefore, we can work back from the medieval copy to a known ancient context. With the *Avesta*, we cannot. A series of classical writers ascribe to a very ancient Persian sage named "Zoroaster" a dualistic view of the world. We cannot prove them wrong, but it would be counter to all methodological principles to treat such representations as fact. Even in the classical world, not everybody accepted this branch of oriental wisdom without

question. Very few, however, showed the scepticism expressed by the great Neoplatonic philosopher Porphyry in the third century A.D., in his *Life of Plotinus*: “I, Porphyry, wrote a considerable number of refutations of the books of Zoroaster, which I showed to be entirely spurious and modern, made up by the sectarians to convey the impression that the doctrines which they had chosen to hold in honour were those of the ancient Zoroaster.”⁵²

Thus, we cannot continue to write the history of “Zoroastrianism,” from remote antiquity onwards, on the basis of projections or representations evolved by writers from within the classical world. That is to accept an ancient version of “orientalism,” and to absorb it into a modern one.

In the ancient world, as in the modern, Asia functioned as a free-fire zone for the European imagination. Disparagement was not always the result. On the contrary, the imaginations of intellectuals in the classical world were repeatedly fired by visions of different forms of oriental culture and wisdom (some of them justified, like the antiquity of Egyptian civilisation, or the derivation of the Greek alphabet from the Phoenician). In classical representations of oriental wise men, Persian Magi, “Chaldean” or Babylonian astrologers, and Indian Brahmins or “naked sophists” could all play a part.⁵³ One writer who repeatedly draws on non-Greek, and in particular oriental, sources of wisdom is Porphyry, though he was often sceptical. Some modern scholars take Porphyry himself to be “oriental,” on the grounds that he came from Tyre in Phoenicia. There is no evidence, however, that he knew any language other than Greek (and no doubt Latin), whether Syriac, Aramaic, Hebrew, Egyptian, Akkadian, or Persian, or that he had, or could have had, personal knowledge of writings in any of these languages. His view of non-Greek sources of wisdom was formed from images already current within Greek culture.⁵⁴

If we postulate Babylonia as a source of “oriental” learning, however, we are faced with an unresolved puzzle. Documentary evidence shows that for at least four centuries after Alexander’s conquest, Greek, Akkadian (still written in cuneiform, though occasionally transliterated into Greek), and also Aramaic were in use there. But was there any continuing intellectual exchange, at the level of literature or learning, between the various cultures? There is as yet no way of answering this question.⁵⁵

Paradoxical as it may seem, a more powerful image of India, than

of either Iran or Babylonia, is found in the literature of the classical world.⁵⁶ India, above all, attracted the attention of the writers who accompanied Alexander. The most influential was Megasthenes, one of the entourage of Alexander's satrap of Arachosia and Gedrosia, roughly southern Afghanistan and Baluchistan, who went on one or more embassies to the Mauryan emperor Chandragupta, probably (as it now seems) at an early stage in his rise to power.⁵⁷ Megasthenes' work does not survive in the original but was to be extensively used in later writers: Diodorus in the late Republic; Strabo the geographer in the reign of Augustus; Pliny the Elder in the seventies of the first century A.D.; and above all in the *Indica* of Arrian in the second century A.D. The *Indica*, which is attached to Arrian's account of Alexander's campaigns, is the fullest classical account of India which we have; but it was written four and a half centuries after the event and not long after Trajan's Parthian campaign.⁵⁸ Thus, though a considerable quantity of writing about India exists in the classical sources, duly reporting, for instance, on the caste system and the importance of Brahmins, we cannot be certain that the knowledge gained with Alexander was refreshed by continuing observation in the centuries following his death.

There may have been significant exchanges between the classical world and India at the level of culture, myth, philosophical teaching, and religious belief; but it is difficult to separate fact from fantasy.⁵⁹ In the case of Babylonia, fantasy, or the projection of stereotypes onto an imagined exotic foreign setting, is precisely what we encounter in the remains of a novel of the second century A.D. by Iamblichus, called *Babyloniaca*.⁶⁰ Similarly, a representation of a Greek holy man's confrontation with exotic foreign cultures is to be found in Philostratus' historical novel written in the early third century, the *Life of Apollonius of Tyana*, whose hero at one stage journeys through Babylonia to India, before returning to visit Ethiopia and Egypt.⁶¹ As long as the cultural history of Babylonia in the later centuries B.C. and the early centuries A.D. remains to be written, we shall not be able to assess its relationship to classical culture.

Trade between the Mediterranean and Asia in the centuries after Alexander might have been expected to have revised classical stereotypes by supplying real knowledge about Asian states and cultures. So it did, but only in limited and unexpected ways. First, there is no real evidence of an established ancient "Silk Road" running across Iran to western China. The idea that the "Silk Road" existed in

the classical period is extraordinarily persistent, as reflected in papers from an international conference on “Palmyra and the Silk Road,” held in 1992 and published in 1996.⁶² Michal Gawlikowski shows clearly, however, both elsewhere and in this book itself, that the extensive Palmyrene evidence for trade with the East presents it as travelling across Babylonia to the Persian Gulf and then by sea to the region known as “Scythia” (approximately modern Pakistan). No evidence exists showing the Palmyrenes venturing north-eastwards from Babylonia, to traverse Iran and central Asia.⁶³

Nor, to summarise an argument developed in more detail elsewhere,⁶⁴ does any other classical evidence point to an established central Asian trade route. One Greek work of the early first century A.D. has been thought to do so: the *Parthian Stations* of Isidorus of Charax, which the only available English edition and translation describes in its subtitle as “an account of the overland *trade route* between the Levant and India.”⁶⁵ In fact, this short text is a description of the main official and military route though the Parthian Empire, starting from the crossing of the Euphrates at Zeugma (at the time the accepted boundary between the Roman and Parthian empires), and continuing south-east to Babylonia, north-east across Iran, then south-east again, to end at “Alexandropolis, the metropolis of Arachosia” (Kandahar): “so far stretches the dominion [*epikrateia*] of the Parthians.” A traveller who continued on his journey would have arrived, as the subtitle of the English edition implies, in India or rather, modern Pakistan, not at the borders of China, which lie more than a thousand kilometres north-east of Kandahar, beyond the Hindu Kush and the Pamirs. Thus, the historical existence of an established “Silk Road” in the centuries between Alexander and Shapur I remains an open question.

Since, by contrast, we can be certain that trade did cross Syria, go down the Euphrates to Babylonia and the gulf, and continue by sea to India, it may seem all the more surprising that we understand so little of Babylonia in the last centuries B.C. and the first centuries A.D., either from reasonably well-informed classical sources or from local evidence. If political circumstances ever allow the continuation of archaeological and documentary work in Iraq, a study of the region from Alexander to Muhammed would be of exceptional interest, both for the clash of cultures (Akkadian, Iranian, Aramaic, Graeco-Roman) and for religious history. Christianity was certainly established in Babylonia by the end of the second century, and it was from an

Aramaic-speaking region of southern Babylonia that Mani, “the apostle of Jesus Christ,” arose to preach his heretical, dualistic version of Christianity in the third century A.D. Although the Roman emperors, Diocletian and Maximian, denounced Manichaeism as “arising from the Persian race which is hostile to us,” the context and setting of Mani’s early preaching was not Iranian at all, but Aramaic.⁶⁶ Moreover, the long-established Jewish community of Babylonia produced, in the fifth century A.D., “the” Talmud, written in Aramaic, which has shaped Judaism ever since.⁶⁷ It represents by far the largest body of evidence for the Aramaic of Babylonia.

As it is, the history of Babylonia from Alexander the Great to Muhammad remains to be written, as does the history of Iran. If we are seeking concrete relationships between the classical world and Asia, we find them only in the early Roman Empire of the first century A.D., and primarily with India. Reports of embassies arriving from India to see Augustus, or of one from Taprobane (Sri Lanka) coming to see Claudius, do not tell us much.⁶⁸ Real information is supplied by one of the most interesting of all texts relating to the social and economic history of the ancient world, the *Periplus Maris Erythraei* or *Voyage around the Red Sea*, written in Greek between A.D. 40 and 70.⁶⁹ The “Red Sea” (*Eruthra Thalassa* in Greek) in this context means the Indian Ocean, not only the branch of it which we call the “Red Sea.” This work, brilliantly edited and translated by Lionel Casson, is a guide to trade routes starting from the east coast of Egypt and going both down the East African coast and also eastwards, past the mouth of the Persian Gulf, to the region for which the anonymous author (like the relevant Palmyrene inscriptions) uses the term “Scythia,” and then all the way down the west coast of India to the ports of Muziris and Nelkynda. “Scythia” is marked, according to the author, by the great river Sinthus (the Indus) flowing out to the sea. The main port is described as having a Greek name, “Barbarikon”; among the goods traded there were Chinese pelts (*Sirika dermatata*). Further south lay another port, Barygaza (modern Broach), and the *Periplus* gives a revealing account of political relations in its hinterland:

Inland behind Barygaza there are numerous peoples: the Aratrioi, Arachusioi, Gandaraioi, and the peoples of Proklais, in whose area Bukephalos Alexandreia is located. And beyond these there is a very warlike people, the Bactrians (Kushans) under a king. . . . Alexander, setting out from these parts, penetrated as far as the Ganges (a widespread myth) but did not get to Limyrike and the south of India.

Because of this, there are to be found on the market in Barygaza even to-day old drachmas engraved with the inscriptions, in Greek letters, of Apollodotus and Menander, rulers who came after Alexander. (chap. 47, trans. Casson)

Extensive archaeological discoveries of Roman pottery and coins amply confirm the reality of trade from the Roman Empire to India.⁷⁰ But the author, in talking about trade, also notes instances of the distinctive religious customs of India. For instance, he remarks of the port of “Komar” (Comorin): “in it men who wish to lead a holy life for the rest of their days remain there celibate; they come there and they perform ablutions” (chap. 58, trans. Casson). Most significant here is chapter 64, towards the end, which both contains the earliest classical reference to the name of China (“Thina”) and explains that Chinese trade goods, including silk, were transported southwards to the Indian Ocean by one of two routes: either down to the west coast through Barygaza, or eastwards down the Ganges to the Bay of Bengal, and then by way of “Limyrike” (the southern part of the west coast) and the ports of Muziris and Nelkynda. “Thina” is portrayed as “a very great inland city,” which we might locate in Kashgar in the extreme west of modern China. The journey from China was difficult and rarely undertaken: “It is not easy to get to this Thina; for rarely do people come from it and only a few.” The author has no conception of a vast *country* called China.

The *Periplus*, full of fascinating details, confirms that in the first century A.D. there was an established pattern of seaborne trade from the Roman Empire to India, whose west coast was well known by traders sailing from Egypt. Whether or not a “Silk Road” also existed in the period, its existence is not necessary to explain how Chinese silk reached the Mediterranean. Silk was one of the commodities regularly carried by sea from India and one which could also have been transported up the Persian Gulf to the Euphrates, thence overland to the Mediterranean by way of Palmyra, where Chinese silk has been found.⁷¹

The existence of the seaborne trade in luxuries did not pass unnoticed in Rome; for Pliny the Elder, writing in the 70s of the first century A.D., worries about the drain of currency required to pay for it, and mentions figures of 50 million or 100 million Roman sesterces.⁷² It is easy to treat such figures as ideological projections of the sort already discussed, or as moralising exaggerations, as they are by Moses Finley in his oft-quoted work on the ancient economy.⁷³ But

caution is in order. We may not wish to believe the report in Strabo's *Geography* that, at the end of the first century B.C., 120 ships made the voyage to India each year.⁷⁴ But even if the number is halved, or a quartered, documentary evidence obliges us to re-examine Pliny's figures. A Greek papyrus from Egypt first published in 1985 contains a contract for the transport of goods from the Red Sea coast of Egypt to Koptos on the Nile, and then down-river to Alexandria.⁷⁵ Here is the western, land-based, continuation of the trade routes described in the *Periplus*. But the papyrus also provides a glimpse of trade in the eastern and southern section of the Indian Ocean. The second half of the document concerns the repayment of loans for which a written agreement had been drawn up earlier—"in the agreements concerning a loan [made] at Muziris." Some of the cargo of the *Hermapollon*, the ship mentioned, must therefore have originated from Muziris, situated in the south of India, and the "agreements" (*syngraphai*) referred to will have been drawn up there in Greek. Among the goods carried was "Gangetic nard," which must have been shipped from Bengal round modern-day Cape Comorin before being loaded at Muziris for the voyage to Egypt. The most striking item in the document, however, is the figure given for the total value of the *Hermapollon's* cargo: 1,154 talanta and 2,852 drachmae in silver, equivalent to 7 million Roman sesterces. Only a small number of ships of the size of the *Hermapollon* would have been required to match even the larger of the figures given by Pliny the Elder. When reading the papyrus, we are not in the realm of fantasy, but in the real world of the author of the *Periplus*.

Nothing stated here should be taken as offering a clear disproof of ideas or notions entertained in the modern world. A "Silk Road" across central Asia may have existed, and the Iranians may have been imbued with dualistic conceptions of the world, which perhaps influenced Judaism, during the Captivity or after, or lay behind Mani's heretical preaching. The study of the social, cultural, and religious history of ancient Iran, however, has hardly begun, and nor can we yet place the Greek inscriptions of central Asia, including the two Buddhist proclamations of Asoka, in a historical setting. Only with the seaborne trade of the first century A.D. do we place our feet on firm ground.

Notes

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This paper was a revised and expanded version of a lecture given at

the Anglo-American Conference of Historians in London in July 1997, and also at Macquarie University, Sydney, in November 1997. As will be obvious, it can claim to do no more than touch, in a selective and personal way, on a few of the profound issues raised by this topic. References to both ancient evidence and modern literature are also very selective, and are intended to bring out particularly interesting recent discoveries, and to suggest further reading. For lesser-known ancient works I have noted English translations where available. I was extremely grateful to Amélie Kuhrt for detailed comments on an earlier draft of this paper, and to Jenny Graham for drawing the map.

1. Cassius Dio, *Roman History* 68, 29 (Loeb trans., vol. VIII, 415–17). For Trajan's campaign, see J. Bennett, *Trajan, Optimus Princeps: A Life and Times* (1997), chap. XIII.

2. Herodotus 5, 58–59 (“Phoenician letters”); 2, 41; 50 (borrowing of divine names from Egypt).

3. Note especially the useful collection and translation, *Myths from Mesopotamia: Creation, the Flood, Gilgamesh and Others* by S. Dalley (1989), and the much fuller presentation of the material by B. R. Foster, *Before the Muses: An Anthology of Akkadian Literature I–II* (1993).

4. Note, e.g., S. P. Morris, *Daidalos and the Origins of Greek Art* (1992); W. Burkert, *The Orientalising Revolution: Near Eastern Influence on Greek Culture in the Early Archaic Age* (1992); or the massive work by M. West, *The East Face of Helicon: West Asiatic Elements in Early Poetry and Myth* (1997).

5. Translated in the Loeb edition of Isocrates, vol. I, 116ff. This much-underestimated text would be well worth studying as perhaps the earliest example of a systematic essay in strategic-political analysis.

6. See M. C. Miller, *Athens and Persia in the Fifth Century BC: A Study in Cultural Receptivity* (1997).

7. See especially E. Hall, *Inventing the Barbarian: Greek Self-Definition through Tragedy* (1989).

8. Xenophon, *Hellenica* 2, 4, 19 (Loeb ed., vol. I, 239).

9. E.g., Aristotle, *Politics* 7, 7 (1327b).

10. Isocrates, *Pan.* 145–49 (trans. Loeb, vol. I, 211–15).

11. Isocrates, *Address to Philip*, 120 (trans. Loeb, vol. I, 319).

12. For modern accounts, see A. B. Bosworth, *Conquest and Empire:*

The Reign of Alexander the Great (1988); P. Briant, *Alexandre le Grand*⁴ (1994).

13. See, e.g., M. Stolper, "Mesopotamia, 482–330 B.C.," in J. Boardman et al., eds., *Cambridge Ancient History IV: Persia, Greece and the Western Mediterranean c. 525 to 479 B.C.* (1994), 234ff., and P. Briant, *De Cyrus à Alexandre: Histoire de l'empire perse* (1996), esp. 500ff.

14. For this extraordinary episode, covering the years 330 to 324 B.C., see A. Bosworth, *Alexander and the East: The Tragedy of Triumph* (1996), and, for the central Asian context, F. Holt, *Alexander the Great and Bactria: The Formation of a Greek Frontier in Central Asia* (1988).

15. For this thesis, note esp. S. Sherwin-White, "Seleucid Babylonia: A Case Study for the Installation and Development of Greek Rule," in A. Kuhrt and S. Sherwin-White, eds., *Hellenism in the East: The Interaction of Greek and Non-Greek Civilizations from Syria to Central Asia* (1987), 1; and, more fully, S. Sherwin-White and A. Kuhrt, *From Samarkhand to Sardis: A New Approach to the Seleucid Empire* (1993), with a set of discussions in *Topoi* 4 (1994).

16. For a useful survey, M. Albert, ed., *Christianismes orientaux: introduction à l'étude des langues et des littératures* (1993).

17. See M. Stern, *Greek and Latin Authors*.

18. See the major work by S. Mitchell, *Anatolia: Land, Men and Gods in Asia Minor I–II* (1993).

19. F. Millar, *The Roman Near East, 31 B.C.–A.D. 337* (1993).

20. See J. Oelsner, *Materialien zur babylonischen Gesellschaft und Kultur in hellenistischer Zeit* (1986), 54.

21. Plutarch, *Moralia* 328C–F (trans. Loeb, vol. IV, 393–97).

22. For a very careful review of the complex and confusing evidence for city foundations by Alexander himself in Asia, see P. M. Fraser, *Cities of Alexander the Great* (1996). See also G. M. Cohen, *The Seleucid Colonies: Studies in Founding, Administration and Organisation* (1978).

23. See especially P. Briant, "Colonisation hellénistique et populations indigènes: la phase d'installation," in his *Rois, Tributs et Paysans* (1982), 227ff.

24. Perhaps the best sketch of what is known of the site, from which the discoveries are still being studied, is P. Bernard, "Ai Khanum on the Oxus: A Hellenistic City in Central Asia," *Proc. Brit.*

Acad. 53 (1967), 71. For a more up-to-date survey, C. Rapin, "Greeks in Afghanistan: Aï Khanum," in J. Descoedres, ed., *Greek Colonists and Native Populations* (1990), 329.

25. See the evocative paper by L. Robert, "De Delphes à l'Oxus: inscriptions grecques nouvelles de la Bactriane," *CRAI* (1968): 416.

26. See R. Thapar, *Aśoka and the Decline of the Mauryas*² (1997), with two maps at the end showing the distribution of the inscribed edicts. See F. Millar, "Epigraphy," in M. Crawford, ed., *Sources for Ancient History* (1983), 80–136 (= chapter 2 in F. Millar, *Rome, the Greek World, and the East I: The Roman Republic and the Augustan Revolution*, on p. 45).

27. First published by D. Schlumberger, L. Robert, A. Dupont-Sommer, and E. Benveniste, "Une bilingue gréco-araméenne d'Asoka," *Journal Asiatique* 246 (1958): 1; text reproduced in *Supplementum Epigraphicum Graecum* XX (1964), no. 326, and in J. Pouilloux, *Choix d'inscriptions grecques* (1960), no. 14, with French translation. An English translation can be found also in S. M. Burstein, *The Hellenistic Age from the Battle of Ipsos to the Death of Kleopatra VII* (1985), no. 50.

28. E. Benveniste, "Edicts d'Asoka en traduction grecque," *Journal Asiatique* 252 (1964): 137; D. Schlumberger, "Une nouvelle inscription grecque d'Açoka," *CRAI* (1964): 126. I have not seen D. Schlumberger and E. Benveniste, "A New Greek Inscription of Asoka at Kandahar," *Epigraphia Indica* 37 (1968): 193. French translation in J.-M. Bertrand, *L'Hellénisme 323–31 av. J.-C.* (1992), 63–64.

29. For what seems to be the sole reprinting of the Greek text, see R. Schmitt, "EX OCCIDENTE LUX. Griechen und griechische Sprache im hellenistischen Fernen Osten," in P. Steinmetz, ed., *Beiträge zur hellenistischen Literatur und ihrer Rezeption in Rom* (1990), 41, on 47–49, with German translation. Although an English translation of the relevant edicts (XII and XIII), derived from various versions in Prakrit, is provided in Thapar, *Aśoka* (n. 26), 255–56, this part of the book is a reprint of the original 1961 text, and the translation therefore does not depend on the Greek version.

30. See R. G. Salomon, "Brahmi and Kharosthi," in P. T. Daniels and W. Bright, eds., *The World's Writing Systems* (1996), 373.

31. Thapar, *Aśoka* (n. 26), 256. The kings are Ptolemy II Philadelphus (285–242 B.C.), Antigonos Gonatas (276–239 B.C.), Magas of Cyrene (dates not quite certain), and (probably) Alexander of Epirus (272–255 B.C.).

32. Clement, *Stromata* 1, 71, 6: "There are among the Indians those who believe in the teachings of Boutta, whom because of his exceptional nobility they have honoured as a god." See A. Dihle, "Indische Philosophen bei Clemens Alexandrinus," in his *Antike und Orient: Gesammelte Aufsätze* (1984), 78, and G. M. Bongard-Levin and S. Karpyuk, "Nachrichten über den Buddhismus in der antiken und frühchristlichen Literatur," in B. Funck, ed., *Hellenismus: Beiträge zur Erforschung von Akkulturation und politischer Ordnung in den Staaten des hellenistischen Zeitalters* (1996), 701.

33. See esp. the classic work of W. W. Tarn, *The Greeks in Bactria and India*³ (1985), with preface and bibliography by F. L. Holt; see also R. K. Narain, *The Indo-Greeks* (1957). For a fine selection of these royal coins, see N. Davis and C. M. Kraay, *The Hellenistic Kingdoms: Portrait Coins and History* (1973), chap. 5.

34. Polybius 11, 39 (Loeb ed., vol. IV, 301–3).

35. Published independently by J. R. Rea, A. S. Hollis, and R. C. Senior, "A Tax Receipt from Hellenistic Bactria," *Zeitschr. f. Pap. u. Epig.* 104 (1994): 261, and by P. Bernard and C. Rapin, "Un parchemin gréco-bactrien d'une collection privée," *CRAI* (1994): 261. See C. Rapin, "Nouvelles observations sur le parchemin gréco-bactrien d'Asangôrna," *Topoi* 4 (1996): 458.

36. For an illuminating survey, with extensive illustrations, see E. Errington and J. Cribb, eds., *The Crossroads of Asia: Transformation of Image and Symbol in the Art of Ancient Afghanistan and Pakistan* (1992).

37. J. Boardman, *The Diffusion of Classical Art in Antiquity* (1994), chap. 4, "The East after Alexander."

38. Boardman (n. 37), 123 (coin reproduced on 124); Errington and Cribb (n. 36), 199–200.

39. N. Sims-Williams and J. Cribb, "A New Bactrian Inscription of Kanishka the Great," *Journal of the Institute of Silk Road Studies* 4 (1995–96): 75; N. Sims-Williams, "Nouveaux documents sur l'histoire et la langue de la Bactriane," *CRAI* (1996): 633 (also reporting on the later documents). For the first group of these documents, see N. Sims-Williams, *Bactrian Documents from Northern Afghanistan*, Pt. 1: *Legal and Economic Documents* (2000).

40. See P. V. Skjaervo, "Aramaic Scripts for Iranian Languages," in Daniels and Bright (n. 30), 515. The largest group of Parthian texts is represented by more than 2,000 ostraca from Nisa in Turkmenistan; see I. Diakonoff and V. Livshits, *Corpus Inscriptionum Iranicarum* II.2:

Parthian Economic Documents from Nisa I–III, ed. D. Mackenzie (1976–77).

41. E. H. Minns, “Parchments of the Parthian Period from Avroman in Kurdistan,” *Journ. Hell. Stud.* 35 (1915): 22. It seems extraordinary that these two extensive Greek documents, along with one in Parthian, now in the British Museum, have never been re-studied in detail since.

42. C. B. Welles, *Royal Correspondence in the Hellenistic Period* (1934), no. 75.

43. H. M. Cotton, W. E. H. Cockle, and F. G. B. Millar, “The Papyrology of the Roman Near East: A Survey,” *Journ. Rom. Stud.* 85 (1995): 214, nos. 34 and 36 to 43. See also F. Millar, “Dura-Europos under Parthian Rule,” in J. Wiesehöfer, ed., *Das Partherreich und seine Zeugnisse* (Historia-Einzelschrift 122, 1998), 473–92 (= chapter 16 in the present volume).

44. Greek text in *Supplementum Epigraphicum Graecum* XXXVII, no. 1403. See esp. P. Bernard, “Vicissitudes au gré de l’histoire d’une statue en bronze d’Héraclès entre Séleucie du Tigre et la Mésène,” *Journal des Savants* (1990): 3.

45. See A. Maricq, “Res Gestae Divi Saporis,” *Syria* 35 (1958): 295, and now Ph. Huyse, *Die dreisprachige Inschrift Sabuhrs I an der Kala-i Zardust* (1999). See the invaluable examples of the Parthian and Middle Persian scripts used in this inscription which are provided by Skjaervo (n. 40), 522–23. An English translation is given in R. N. Frye, *The History of Ancient Iran* (1984), 371–73.

46. See the careful study of the evidence by J. Wiesehöfer, *Das antiken Persien von 550 v. Chr. bis 650 n. Chr.* (1994), 366–68 (a survey of the epigraphic and literary evidence for the Sassanid period); English translation by A. Z. Azodi, *Ancient Persia from 550 to 650 A.D.* (1996), 283–85.

47. See the splendid collection by W. H. P. Hatch, *Album of Dated Syriac Manuscripts* (1946), which could now be substantially updated.

48. Skjaervo (n. 40), 257.

49. For these texts in English translation, see H. J. Klimkeit, *Gnosis on the Silk Road: Gnostic Texts from Central Asia* (1993). Note, e.g., the “Zarathustra Fragment” (p. 47), and the allusion to Zarathustra in a poem in Parthian on p. 125. No date is suggested for either text or either manuscript.

50. The texts are conveniently collected and discussed by J. Bidez and F. Cumont, *Les mages hellénisés I–II* (1938). See now A. De Jong,

Traditions of the Magi: Zoroastrianism in Greek and Latin Literature (1997). Note also P. Kingsley, "The Greek Origin of the Sixth-Century Dating of Zoroaster," *Bull. Sch. Or. and Afr. Stud.* 53 (1990): 245, vigorously criticising the Greek tradition—but only (it seems) in favour of a second-millennium date for the "real" Zoroaster.

51. Plutarch, *Moralia* 369D–370D (trans. Loeb text, vol. V, 111–13).

52. Porphyry, *Vita Plotini* 16 (trans. Loeb Plotinus, vol. I, 45).

53. Note the monograph by A. D. Momigliano, *Alien Wisdom: The Limits of Hellenisation* (1976), stressing the limits—above all the linguistic limits—of the real knowledge of other cultures which the Greeks of the Hellenistic period acquired. See also Dihle (n. 32).

54. See F. Millar, "Porphyry: Ethnicity, Language, and Alien Wisdom," in J. Barnes and M. Griffin, eds., *Philosophia Togata II: Plato and Aristotle at Rome* (1996), 241–86 (= chapter 13 of the present volume).

55. Note, however, the suggestions in S. Dalley and A. T. Reyes, "Mesopotamian Contact and Influence in the Greek World: Persia, Alexander and Rome," in S. Dalley, ed., *The Legacy of Mesopotamia* (1998), chap. V. For the specific evidence of cuneiform texts provided with Greek transliterations, and the possible wider implications of these texts for cultural history, see M. J. Geller, "The Last Wedge," *Zeitschrift für Assyriologie* 87 (1997): 43.

56. For discussions of the Greek and Latin texts relating to India, see, e.g., A. Dihle, "The Conception of India in Hellenistic and Roman Literature," *Proc. Camb. Philol. Soc.* 190 (1964): 15, reprinted with additions in his *Antike und Orient* (1984), 89: I was grateful to Grant Parker for drawing my attention to this article. See also K. Karttunen, *India in Early Greek Literature* (1989); N. H. H. Sitwell, *The World the Romans Knew* (1984), chap. 7; J. S. Romm, *The Edges of the Earth in Ancient Thought: Geography, Exploration, and Fiction* (1992), chap. 3: "The Wonders of the East."

57. See A. B. Bosworth, "The Historical Setting of Megasthenes' *Indica*," *Classical Philology* 91 (1996): 113.

58. The most accessible edition of Arrian's work on Alexander, and the *Indica*, is the excellent two-volume Loeb text and translation by P. A. Brunt (1976–83).

59. For a full exploration of all the possibilities, without however much critical caution, see J. W. Sedlar, *India and the Greek World* (1980). For a more sober, methodologically aware, approach, see J. S.

60. For a translation of Iamblichus, *A Babylonian Story* (which survives only in epitome), by G. N. Sandy, see *Collected Ancient Greek Novels*, ed. B. P. Reardon (1989), 783.

61. For a translation, see the Loeb edition, ed. F. C. Conybeare, I–II (1912). For an analysis of the work as a fictional representation of a pagan holy man, in which travel, both within the Greek world and outside it, is essential, see J. Elsner, “Hagiographic Geography: Travel and Allegory in the *Life of Apollonius of Tyana*,” *Journ. Hell. Stud.* 117 (1997): 22.

62. *Palmyra and the Silk Road*, published as a special issue of *Annales Archéologiques Arabes Syriennes* 42 (1996).

63. M. Gawlikowski, “Palmyra as a Trading Centre,” *Iraq* 56 (1994): 27; “Palmyra and Its Caravan Trade,” *Annales Archéologiques Arabes Syriennes* (1996): 139.

64. F. Millar, “Caravan Cities: The Roman Near East and Long-Distance Trade by Land,” in M. Austin, J. Harries, and C. Smith, eds., *Modus Operandi: Essays in Honour of Geoffrey Rickman* (BICS supp. 71, 1998), 119–37 (= chapter 11 of the present volume).

65. W. H. Schoff, *Parthian Stations by Isidore of Charax: An Account of the Overland Trade Route between the Levant and India in the First Century BC. The Greek Text with a Translation and Commentary* (1914).

66. See P. Brown, “The Diffusion of Manichaeism in the Roman Empire,” *Journ. Rom. Stud.* 59 (1969): 92; S. N. C. Lieu, *Manichaeism in the Later Roman Empire and Medieval China*² (1992). See now also S. N. C. Lieu, *Manichaeism in Central Asia and China* (1998).

67. For the Babylonian Talmud in relation to its geographical and social environment, see A. Oppenheimer, *Babylonia Judaica in the Talmudic Period* (1983).

68. For embassies from India, see Augustus’ own report in his *Res Gestae* 31: “To me embassies on behalf of kings were often sent from India, never previously witnessed before any Roman *dux* [general],” and the description by Nicolaus of Damascus, quoted in Strabo’s *Geography* 15, 1, 73, 719 (trans. Loeb, vol. VII, 125–27), of an Indian embassy at Antioch on its way to see the Emperor. For the embassy from Sri Lanka, see Pliny, *Nat. Hist.* 6, 22–24/84–91 (trans. Loeb, vol. II, 401–9). See F. Millar, “Government and Diplomacy in the Roman Empire during the First Three Centuries,” *International History Review* 10 (1988): 345–77 (= chapter 10 in F. Millar, *Rome, the Greek World*,

and the East II: Government, Society, and Culture in the Roman Empire, 220).

69. L. Casson, *The Periplus Maris Erythraei: Text with Introduction, Translation and Commentary* (1989). For the interrelated questions of the date of the *Periplus* and of the political circumstances in the Indian sub-continent to which it alludes, see J. Cribb, "Numismatic Evidence for the Date of the 'Periplus,'" in D. W. Macdowell, S. Sharma, and S. Garg, eds., *Indian Numismatics, History, Art and Culture: Essays in Honour of Dr. P. L. Gupta* (1992), 131.

70. See P. J. Turner, *Roman Coins from India* (1989); J. Cribb and P. J. Turner, "Numismatic Evidence for the Roman Trade with Ancient India," in J. E. Reade, ed., *The Indian Ocean in Antiquity* (1996), 309; V. Begley and R. D. De Puma, *Rome and India: The Ancient Sea Trade* (1991); R. Thapar, "Black Gold: South Asia and the Roman Maritime Trade," *South Asia* 15 (1992): 1.

71. See A. Stauffer, "Textiles from Palmyra: Local Production and the Import and Imitation of Chinese Silk Weavings," *Annales Archéologiques Arabes Syriennes* (1996): 425.

72. Pliny, *Nat. Hist.* 6, 101 (50 million sesterces); 12, 84: "India, Seres (China?) and that peninsula (Arabia) take from our empire each year 100 million sesterces" (trans. Loeb, vol. IV, 63).

73. M. Finley, *The Ancient Economy*² (1985), 132.

74. Strabo, *Geography* 1, 5, 12, 118 (Loeb ed., vol. I, 453).

75. See, e.g., L. Casson, "New Light on Maritime Loans: P.Vind. G 40822," *Zeitschr. f. Pap. u. Epig.* 84 (1990): 195.

PART III
Jews and Others

CHAPTER THIRTEEN

Porphyry: Ethnicity, Language, and Alien Wisdom



Porphyre connaissait bien l'Orient. Il devait parler l'idiome de son pays, peut-être même se piquait-il de comprendre l'hébreu. Il était versé dans les mystères de la Chaldée, de la Perse et de l'Égypte. On le voit décrire et interpréter une sorte d'hiéroglyphe, et manier les livres sacrés et la littérature profane des Juifs comme des Phéniciens.

—J. Bidez, *Vie de Porphyre* (1913), 9

Porphyry was born in about 232, the year when Plotinus started to study philosophy at Alexandria. His parents were well-to-do Syrians, and he spent most of his boyhood, so far as we know, in the busy Phoenician city of Tyre. Even if he did not travel he had ample opportunity there to make the far from superficial acquaintance with the mystery cults and magical practices of the Middle East and beyond which his writings were to show. He probably knew several languages by the time he came to the West.

—C. Lloyd, “*Porphyry and Iamblichus*,” in A. H. Armstrong, ed., *Cambridge History of Later Greek and Early Medieval Philosophy* (1967), 283

Porphyry did not have to make up these exegeses himself. He came from Tyre, and his native language was Syriac. He got his exegesis of Daniel from Syrian exegetes, perhaps Jews as well as Christians. Unfortunately the first Syrian writer on Daniel whose work has survived was Aphrahat, whose fifth Demonstration was composed in A.D. 337.

—M. Casey, “*Porphyry and the Origin of the Book of Daniel*,” *JThSt* 27 (1976): 11–33, on 23

A Problem of Identity

Does Porphyry, the important Neoplatonist of the third century, really belong in a volume dedicated to “Plato and Aristotle at Rome”? Should we not instead interpret his works as the product of an “oriental” culture and mentality, which produced a significant reformulation of the legacy of classical Greek philosophy? The answer cannot be simple, and the texts cited above ought to be sufficient to

illustrate how preconceptions about the “Orient” have been used as the starting point for interpretations of Porphyry’s works. Yet, on the other hand, there is much, both in the nature of his works and even in the plain facts of his biography, to suggest that we can and should see him as a late Platonist who belonged, literally and figuratively “in Rome.” Porphyry was the pupil and successor of Plotinus, and after Plotinus’ death was recognised as the leading philosopher of his time. He was a Platonist by profession, but he held that Aristotle’s thought could largely be reconciled with Platonism, and wrote numerous commentaries on Aristotle’s works, which had an immense influence on all subsequent scholarship. All his works were written in Greek, and there is no categorical proof that he knew, or could write in, any other language. If he did know any other languages, the most probable candidate is Latin. For, as we shall see below, his native city, Tyre, had been a Roman colony since the 190s. All his works were written between the 260s and the early years of the fourth century, either in Rome or in Sicily.

Yet all modern scholars who have studied the works of Porphyry have rightly felt that we ought if possible to understand his original local context, and to ask if there is something distinctively “oriental” in his thought. In themselves, these presuppositions are wholly justified, and are supported by the fact that two other important Greek philosophers of the mid-imperial period also came from the same region: Numenius, in the later second century, from the major city of Apamea on the Orontes, and Iamblichus from the small city of Chalcis, which lay between Apamea and Beroea, on the edge of the Syrian steppe.

All three, however, wrote solely in Greek; whether there is evidence that any of them had any knowledge of any language other than Greek remains to be seen. The interpretation of the thought of any one of them in terms of the influence of a local culture, language, or intellectual tradition is something which has to be conducted with extreme care. The three passages quoted above demonstrate with painful clarity how loosely terms denoting ethnicity and cultural affiliation can be used—and not only used in passing, but deployed as the bases of interpretation. What is meant, or what should be meant, by “l’idiome de son pays”—“the native language of his land”; “Syrian”; “Phoenician”; “Middle East”; “Syriac”; or “Syrian exegetes”? The problem is even more profound if we consider the imputed knowledge of other cultures and languages which were native to

regions outside the Roman province of Syria (or, in Porphyry's lifetime, two provinces, "Syria Coele" and "Syria Phoenice"). First there are areas which formed part of the Roman Empire. As we will see, a fundamental confusion is already built into the second and third passages, for Syriac in the third century is in fact characteristic not of the Roman province(s) called "Syria," but of the province of Mesopotamia, conquered in the 190s by Septimius Severus. But what of Judaea, now called "Syria Palaestina"? Do we have any reason to think that any pagan intellectuals could read Hebrew? Then there is Egypt: what would count as acquaintance with "the mystery cults . . . of Egypt"?

Far greater problems attend the question of defining putative cultures in the regions beyond the borders of the Empire (though whether "the mystery cults and magical practices of the Middle East" is intended to embrace areas both inside and outside the Empire is not quite clear).

All these difficulties have to be explored, for otherwise (as is all too evident) the interpretation of Porphyry's writings, as of those of other philosophers from the Syrian region, will be based on unexamined assumptions about cultural and linguistic patterns, and therefore be quite unsound. The brief survey of the context offered here is based on the author's *The Roman Near East, 31 B.C.–A.D. 337* (1993), which was intended precisely to draw a "map" of the Roman provinces of Syria, Mesopotamia, Judaea/Syria Palaestina, and Arabia, first in terms of language, as attested by documentary and literary evidence, and then of "ethnicity," as claimed or imputed by contemporaries. Its approach was thus severely empirical, and was designed, not—as is in any case impossible—to prove negatives (for instance, that a particular language was *not* in use at a particular time or place), but to show the limits of what we know now: that we have actual evidence for the use of a particular language only in particular places and at particular times. Suppositions about wider use are themselves hypotheses, which might of course receive support at any time from new evidence. But such suppositions, until supported, must on no account serve as the bases for interpreting the thought of Porphyry, or of other philosophers.

The bare facts of Porphyry's life are that he was born in the early 230s, apparently in his native city of Tyre; at some stage he was in Greece, and he then joined Plotinus in Rome in 262/3. In 267/8 he moved to Sicily, but returned to Rome at some unknown date before

his death in the early years of the fourth century. There is thus no evidence that he lived in Tyre at any time after his twenties; as noted above, all his known works were written in Greek.

The first question which arises is therefore that of what presumptions we are entitled to make about the linguistic and educational background, and the wider cultural context, of someone born in Tyre in the 230s.

Tyre and Phoenicia

Tyre, even more than the other long-established cities of the Phoenician coast, exhibits a complex combination of continuity and drastic change.¹ Like the other cities, it had transformed itself into a Greek city in the Hellenistic period, while retaining longer than the others the custom of having its own coins inscribed with legends in the Phoenician language. These Phoenician legends seem indeed to have continued up to the moment of its further transformation—when in the 190s Septimius gave it the status of a Roman colony. This was the same moment at which “Phoenice” became part of the official name, “Syria Phoenice,” of the southern section of the Roman province of Syria.

No inscriptions or examples of writing on perishable materials (papyrus or parchment) in Phoenician are known from any time after the very beginning of the imperial period. Our most extended, if highly problematic, evidence for a continuing Phoenician culture, and knowledge of the language, comes from the *Phoinikika* of Herennius Philo of Byblos, written in Greek early in the second century A.D., and claiming to be based on the work of a Phoenician writer called “Sanchuniathon” of the later second millennium B.C.² In intellectual character, the work is indisputably Greek, following Euhemerist ideas of the origin of the gods, and combining elements drawn from Phoenician and Egyptian traditions. But it does also, beyond question, show some knowledge of individual terms and of divine names in Phoenician. This work was known to Porphyry, who quotes from it in the second book of his *On Abstinence*: “In major crises, such as wars or plagues or droughts, the Phoenicians used to make a sacrifice dedicated to Kronos, from those dearest to them. There are abundant examples of such sacrifices in the *Phoinikikē Historia* which Sanchuniathon wrote in the Phoenician language, and Philo the Byblian translated into Greek in eight books.”³ Eusebius, who quotes this passage, also attests that Porphyry referred to Sanchuniathon, and

to Philo's translation, in his *Against the Christians*.⁴ Neither passage, however, shows that Porphyry knew anything other than Philo's Greek version; whether he will none the less have read this piece of Phoenician tradition differently from any other Greek intellectual of his time remains to be discussed.

Some four decades before Porphyry's birth, there had occurred the transformation of Tyre into a Roman colony, among the earliest of a long series of such transformations which in the next half-century were to affect numerous cities in the Near Eastern provinces, and to produce even greater ambiguities in "ethnicity" and cultural identity than were already present.⁵ Colonial status ought to have entailed the public use of Latin (whether it stimulated in any way the personal use of Latin in daily life, or the reading of Latin literature, remains quite obscure); it certainly brought with it a restructuring of the local constitution, henceforward headed by two annual *duoviri* (a board of two magistrates), more often visible, in Greek translation, as two *stratēgoi*.

There seems to be nothing in Porphyry's works which suggests any acquaintance with Latin culture or even (strictly speaking) any knowledge of Latin. It is paradoxical, therefore, that such knowledge is exhibited by a Tyrian who had been born at least a couple of decades before the grant of colonial status, the jurist Ulpian. As is well known, he speaks with pride of the long history of his *patria*, and of its acquisition of colonial status.⁶ We can be certain also that he came from an established family of Greek-speaking Oulpianoι in Tyre. For one such Oulpianos is a participant in Athenaeus' *Deipnosophistai* (The Learned Diners), and is moreover treated there as, in part, a representative of Phoenician tradition. For, instance, one of the other participants speaks of words which are found only rarely, "unless in the works of those who have written *Phoinikika*, Sanchuniathon and Mochos, your fellow citizens."⁷ It is worth noting, however, in view of the modern attributions of ethnicity quoted at the beginning, that at one point Oulpianos is described as a "Syrian" (*Syros*).⁸ The family of Oulpianoι certainly continued in Tyre, for one of its members, a Christian, was martyred there in the early fourth century.⁹

An awareness of the ancient history of Tyre, *but as envisaged within Graeco-Roman culture*, can be proved beyond doubt for the third-century colony. For its coinage, with legends in both Greek and Latin, shows Dido, Cadmus, and Europa.¹⁰ Do we have any reason to believe that the Phoenician language was still used? There are two possible

hints. One comes from Ulpian himself, discussing whether an *obligatio* in Roman law could be created by a verbal undertaking in Greek, or in another language (*sermo*)—"perhaps Punic or Assyrian" (*Poenum forte vel Assyrium*).¹¹

Given the indeterminacy and fluidity of ancient labels for languages and ethnic identities, there can be no certainty as to which languages are referred to. But *Assyrius sermo* ought to be either the Aramaic used, in various dialects, in the two provinces of Syria, as well as Syria Palaestina and Arabia, or perhaps specifically the dialect and script of Aramaic which we call "Syriac," used in Mesopotamia (as Nöldeke showed long ago, *Assyrios/us* as used by Graeco-Roman writers has nothing to do with "Assyria" proper—in this period part of the Sassanid Empire—and is used simply as a variant for *Syros/us*).¹² So, if *Assyrius sermo* refers to the Aramaic of any part of the Roman provincial area, it is quite possible that *Poenus sermo* is Phoenician, rather than the neo-Punic still in use in the province of Africa.

That remains, however, no more than a hypothesis. If our concern is to ask in what sense Porphyry should be understood as "Phoenician," we have to admit that simple and concrete criteria offered by language use provide no answer. There is no conclusive evidence that Phoenician was still spoken or written in Tyre in the third century, or that an older Phoenician literature, whatever its content might have been, could still be read in its original Phoenician.

The search for traces of the local languages in fact produces results which are quite clear and are generally characteristic of the two provinces of Roman Syria: Syria Coele (the northern section, with a south-eastern extension down the Euphrates to Dura-Europos); and Syria Phoenice, which extended eastwards from the traditionally Phoenician coast, to include Emesa, Damascus, and Palmyra, and (it seems) reached the Euphrates south of Dura. With the exception of Palmyra (and, in a different way, the Euphrates zone, including Dura), the evidence for current use of Semitic languages is confined to the appearance in Greek transliteration of individual names for places, individuals and deities. Examples of the latter are the divine name "Zeus Madbachos" (Zeus the altar), found in the limestone massif of northern Syria, and "Elagabalos/us" as the name of a deity at Emesa, certainly derived from the name of the deity 'LH'GBL, attested in Palmyrene script within the Palmyrene zone.

This general limitation has to be borne in mind when we look at two items of evidence which might suggest a knowledge of Phoenician

by Porphyry. The first is the report quoted in Eusebius' *Praeparatio Evangelica*, speaking of works of Phoenician theology: "They offer guarantees of their propositions from the appellations of the gods still prevailing to this day in the cities and villages of Phoenicia and the explanations of the mysteries celebrated among each people."¹³ The first problem with the passage is that (as so often) it is not clear whether the final comment comes from Eusebius himself or is quoted from Porphyry. None the less, in either case it is highly significant. The reference to the "appellations of the gods," it is true, implies no more than what is visible throughout the Near East, the reproduction in Greek (and often Latin) transliteration of divine names of Semitic origin. But the reference to the interpretation of "mysteries" enacted in the cities and villages of Phoenicia does imply the persistence of distinctive local cult forms, beliefs, and tradition. If this is valid, we still, however, lack any access to these.

The other, much-quoted, item, is the evidence on the successive forms of name used by Porphyry, beginning with his own testimony in his *Life* of Plotinus. Here he describes himself as "Porphyrios, Tyrian," but later goes into more detail on his name: "He [Amelius] dedicated it to me under the name of Basileus [King]. Basileus was in fact my name, for in my native language [*patrios dialektos*] I was called Malkos . . . and if one translates Malkos into Greek it is interpreted as Basileus" (Loeb trans.).¹⁴ Rather curiously, nothing in this passage serves to explain how or why "Porphyrios" came to be the name under which his works circulated. An explanation of this is provided only by Eunapius, writing a century or so after Porphyry's death: "Porphyrios' native city was Tyre, the foremost city of the ancient Phoenicians. . . . In [this] city of *Suroi* Porphyrios was at first called Malchos (the meaning of this is "King"). But Longinus named him "Porphyrios" (purple), using this appellation to indicate the royal significance of such clothing."¹⁵

What emerges from these passages is at least the clear indication that Porphyry began life with a Semitic name, often found in Greek transliteration. (As he was a Roman citizen, because of being a citizen of a colony, this should have been his *cognomen*, and he ought to have had a Roman *nomen* and, in theory, also a *praenomen*). The history of Romanised names in the Greek East is extremely complex, but it is most likely that "Porphyrios/us" became attached to his name as an *agnomen* or nickname; hence he will have been, formally, "(*praenomen*), (*nomen*) Malchus Porphyrius," with the latter element

coming to be the one which he used *qua* author, and by which he was referred to.¹⁶ Given that it was Septimius Severus who gave Tyre the status of a colony, it is quite probable that, if Porphyry turned up in an inscription, it would be as “L. Septimius Malchus.”

Though Porphyry’s own testimony, when taken literally, reveals no more than that he knew that “Malchos” (derived from MLK) meant “king,” it does of course also show that he was aware of a *patrios dialektos*. There, however, our evidence stops. We do not know whether this “language” was still spoken in Tyre, and if so whether in educated circles or only in lower-class ones. Neither for the third century nor for the preceding period have we any concrete proof that Phoenician was used on perishable materials, for writing contracts, marriage agreements, or letters. Though no negative generalisations can be proved, it should be stressed that such evidence is now available, from the Roman imperial period, for Hebrew, Palestinian Aramaic, Nabataean, Palmyrene, and Syriac.¹⁷

It therefore remains an open question whether Phoenician was still spoken, or whether written Phoenician was still used in daily-life contexts (as Ulpian’s reference to *Poenus sermo* may imply). *A fortiori* it is uncertain whether new literary, religious, or philosophical texts could still be written in Phoenician, or indeed, strictly speaking, whether there ever had been such texts.¹⁸ Again, it should be stressed that neither hypothesis is a wholly empty one. For, as is obvious, within Jewish culture it was the case both that there were inherited texts in Hebrew and Jewish Aramaic which were still in circulation, and that new texts (most obviously the Mishnah) were still being generated in the third century. Precisely in this period also, a Christian literature in Syriac was coming into existence in Roman Mesopotamia; the *Book of the Laws of Countries*, a sub-Platonic dialogue in which Bardesanes plays the main role, is the best-known example.¹⁹

Contrary to what is asserted in one of the passages quoted at the head of this chapter, Porphyry’s “native language” (if he had a native language other than Greek) was not “Syriac” (a term which designates precisely—and in this period only—the dialect and script of Aramaic used along the Euphrates and to its East, in Mesopotamia), but Phoenician, a language closely related to Hebrew. It remains, however, possible that a dialect of Aramaic was also current in Phoenicia in parallel with Phoenician (just as both Hebrew and Aramaic were in Syria Palaestina), and conceivable therefore that an

educated person from Tyre might have been able to understand spoken Syriac, or to read works written in it. Writing book 4 of his *Ecclesiastical History*, probably still within Porphyry's life-time, Eusebius (from Caesarea in Syria Palaestina) refers in detail to Bardesanes' works and to Greek translations of them: "In the same reign heresies multiplied in Mesopotamia. A man of great ability, and skilled in argument in the language of the *Syroi*, Bardesanes, after composing dialogues against the Marcionites and various leaders of other beliefs, transmitted them, along with numerous other writings of his, in his native language and script, which his disciples . . . have translated into the language of the Greeks from that of the *Syroi*."²⁰ It should be stressed, since the hypothesis being examined is that Porphyry was "at home" in the culture or cultures of "the Orient," that his only known allusion to Bardesanes is much less precise than this (texts to nn. 27–28 below).

Where there were indeed literary or philosophical works written in a Semitic language, it might often be possible to gain acquaintance with them through the medium of Greek translations. This was of course the case with all the books of the Old Testament, including late works such as Daniel, or the Wisdom of Ben Sira, which for some reason never formed part of the Hebrew Bible, but which had been translated in the later second century B.C. to become the book *Ecclesiasticus*, and to form part of the Catholic but not the Protestant Bible.

Here again, we cannot possibly doubt that Porphyry knew the Bible, for it was, as is well known, precisely he who proved that Daniel was indeed a pseudo-prophecy, and had reached its definite form under Antiochus Epiphanes in the 160s B.C.²¹ But nothing in what is preserved, or reflected in later sources, of Porphyry's brilliant discussion shows either that he knew or used Hebrew, or that he derived anything from "Syrian" exegetes, whether Christian or "Jewish." Presumably the notion of a "Syrian" *Jewish* exegete is intended to refer to the authors of commentary-type ("midrashic") works written in Aramaic. Commentaries on biblical works are indeed found in Qumran, necessarily dating from several centuries earlier than Porphyry.²² There is no reason to presume that none were in circulation in his time. But the earliest examples, which are otherwise known, and which are preserved along with the wider corpus of Talmudic works, are later.²³ There is in any case nothing explicit in Porphyry's writings to show active exchanges with learned Jews of the

sort attested by his older contemporary, Origen.²⁴ It is very relevant that Origen, an Alexandrian by birth, wrote most of his works in Caesarea in Palestine, in an area of Jewish settlement and an active Jewish religious culture, while Porphyry, as we have seen, is not known to have returned to Syria after the age of about thirty. Eusebius claims explicitly that Porphyry wrote *Against the Christians* in Sicily, that he had known Origen in youth, and that he criticised his interpretation of the Bible.²⁵

It is beyond question that Porphyry had a detailed knowledge of both the Old and the New Testament. But two problems persist, one specific and one much more general. The specific one is: did Porphyry read the Old Testament in the original? So far as I can see, there is nothing in the later Christian tractates (themselves in Greek or Latin) on his hostile critique of the Bible to show that he did.

Once again, however, the negative cannot be proved. The more general question, then, is: should we then, none the less, envisage his intellectual relationship with Jewish sacred texts specifically as a reflection of a wider engagement with a Near Eastern, Semitic-language culture? In short, is this engagement with the Old Testament to be seen as in some sense an expression of Porphyry's own culture and identity, of who Porphyry "was"?

We would in principle be entitled to assert this even if Porphyry himself had not done so, if (for instance) we could set his work against a body of contemporary "Near Eastern" literature (in one or more Semitic languages), and if the comparison clearly showed patterns of thought which were not characteristic of contemporary Greek writing as a whole.

Such a project would go far beyond the scope of this paper. But two warning notes have to be sounded. Firstly, the history of the Near East in the Roman period in no way supports the notion that the common use of a group of Semitic languages (Aramaic in its various dialects, Hebrew, and—perhaps still—Phoenician) instilled any sense of a common ethnic or cultural identity in its various peoples. Secondly, in the specific case of Porphyry, his own words tend in quite the opposite direction. Far from locating their author as "belonging" to the culture of this region, they explicitly distance him from its manifestations.

We might start by contrasting what Porphyry says of Bardesanes with the detailed account of the latter's Syriac writings and their Greek translations which Eusebius offers (text to n. 20 above). Porphyry does refer to Bardesanes once, in his *On Abstinence from*

Living Things: “But the Brachmans inherit a *theosophia* of this type by descent, like a priesthood, while the Samanaioi are chosen, and their ranks are filled up from those who volunteer to *theosophein* [contemplate divinity]. This is the state of affairs in their case, as Bardesanes wrote, that is a Babylonian who lived in our fathers’ time, and encountered the Indian ambassadors who were sent with Dandamis to Caesar.”²⁶ The *Book of the Laws of Countries* does indeed speak of the “laws [or better “customs”] of the Brahmins who (are) in India (NMWS’ DBRKMN’ DBHNDY’),” though it does not make the precise point which Porphyry cites, nor allude to the embassy. That is of course not a significant problem, since Bardesanes could easily have referred to Brahmins elsewhere. What is significant is not merely that Porphyry happens not to explore Bardesanes’ Syriac works and their Greek versions in the way that Eusebius does, but that he chooses to refer to Bardesanes as a “Babylonian.” Far from implying that he himself and Bardesanes shared a common culture, he identifies him with an ethnic and cultural group living beyond the bounds of the Empire.

More significant still, however, is Porphyry’s deployment of an allusion to “the language of the *Syroi*” in the course of his very important discussion of animals in book III of his *On Abstinence*.²⁷ If (he argues) animals do have consciousness and reason, if they are *empsycha* (possessed of a soul or spirit), we ought not to sacrifice or eat them. How can we be sure that they do not in fact show signs of consciousness, for instance, in communicating with each other by sound, and in receiving auditory communications from humans? Is it an objection that we cannot understand the sounds which they make? No, because, firstly, some people do turn out to have this capacity. Secondly, we cannot understand or interpret the languages of foreigners, but this does lead us to the conclusion that the sounds which they make are not language. It is here that Porphyry chooses a very significant example:

As regards that which is uttered by the tongue, in whatever manner it is uttered, in barbarian manner or Greek, or in the style of dogs or of cattle, those living things which emit sounds participate in discourse, humans uttering in accordance with human norms, animals in accordance with those which each species has received from the gods and from nature. If we do not understand them, so what? Greeks do not understand the language of Indians, and nor do those brought up in the Attic tongue understand that of Scythians or Thracians or

Syrians. But the sound made by the one group falls on the ears of the other like the shrieking of cranes. And yet for each group their language can be expressed in letters and can be articulated, as ours can be for us. But, for example, the language of the Syrians or the Persians is incapable of being articulated or expressed in letters [by us?], just as is for all men the language of animals.²⁸

This complex passage could be interpreted in various ways, and need perhaps be claiming no more than that, as a matter of fact, for the majority of Greeks, the languages of Thracians, Scythians, Syrians, and Persians are all unintelligible, and cannot, when heard, be interpreted in written form. But what is absolutely undeniable about the passage is that Porphyry implicitly fails to claim any personal capacity in terms of the potential mutual translatability of the two major languages of the wider region to which he belonged, Greek and Aramaic.

All conclusions about Porphyry's culture and identity must be very tentative. We cannot prove that there was not a still living Phoenician literature and tradition, nor that a Tyrian of good family in the third century would not have spoken and written Phoenician, as he certainly did Greek; nor that Syriac (in Mesopotamia) and Jewish Aramaic (in Syria Palaestina) were the only branches of Aramaic in which literary or religious works were currently being composed; nor that, on the basis of a personal knowledge of Phoenician, Porphyry did not also read the Hebrew Bible. But all such suppositions remain pure hypotheses, and the passage from *On Abstinence* 3 just quoted strongly suggests that such hypotheses are fragile. The Porphyry whom we can encounter is solely the Porphyry embodied for us in a series of works written in Italy and Sicily, in Greek. We should not base our interpretation of them on a real-life "Phoenician," "Syrian," or "oriental" Porphyry whom we ourselves have constructed.

An Oriental Culture?

So far, we have looked at the possible "identity" of Porphyry in terms of his Tyrian origins, and the possible relevance of these origins to his relationship to the Semitic-language cultures of the areas in the Near East which in Porphyry's time were Roman provinces. As we have seen, there are profound problems as regards Porphyry's (possible) knowledge of written or spoken Phoenician, and even more profound ones as regards his supposed knowledge either of any of the dialects of Aramaic which we know were written languages in his time

(Palmyrene, Syriac, Jewish Aramaic, and—marginally, since the vast majority of the relevant inscriptions, and all the known papyri, are earlier—Nabataean), or of Hebrew.

No negative conclusions can be reached, and all these possibilities remain open. But it is significant, firstly, that when Porphyry has occasion to refer to Bardesanes he identifies him as a “Babylonian.” It is even more significant that, just when he might have stressed the possibility of understanding across the barriers created by the existence of different human languages groups, he seems to do the opposite: “the language of the Syrians” is represented as being just as unintelligible for Greeks as that of Scythians, Thracians, or Persians. He does not seem, here or anywhere else, to claim any linguistic or cultural affinity uniting the users of Semitic languages in the Near East.

To treat the question of Porphyry’s cultural identity strictly in terms of language may well, however, be too narrow. He might, as a Tyrian, none the less have claimed a particular affinity with, or understanding of, other elements of Near Eastern culture. He might also, in some significant way, have made comparable claims for his relationship to other “oriental” cultures, whether of regions within the Empire, like Egypt, or outside it, like Babylonia, Persia, or India. To look at this question, with all its complications, as fully as it ought to be considered, would be to re-write the whole history of Greek culture and its relation to “alien wisdom,” and that obviously cannot be attempted here. Instead, it is only possible to look briefly at the manner of Porphyry’s self-representation in this respect, and to suggest how frail a basis the relevant passages provide for any serious notion of Porphyry as a man rooted in “oriental” culture (or cultures).

Fundamental distinctions have to be drawn here too. We may be concerned with representations by Porphyry of how figures from the past, like Pythagoras, had drawn on various sources of “oriental” wisdom; or with reports of the actual reading of texts in non-Greek (and non-Semitic) languages; or with conceptions of “oriental” cultures and forms of learning which were current within contemporary Greek culture. It is very relevant to these questions that Porphyry himself records that works which were allegedly by Zoroaster or “Zostrianus” were circulating in his time, and—in the opinion of Plotinus and his pupils—were wholly spurious. Speaking of these pupils of Plotinus, he says: “Amelius went to forty volumes in writing against the book of Zostrianus. I, Porphyry, wrote a

considerable number of refutations of the book of Zoroaster, which I showed to be entirely spurious and modern, made up by the sectarians to convey the impression that the doctrines which they had chosen to hold in honour were those of the ancient Zoroaster.”²⁹ This critical view is significant, even though Porphyry had earlier recorded that Plotinus himself had joined Gordian III’s eastern expedition of 242 in the hope of making contact with Persian and even Indian learning.³⁰ It does not seem in fact that any of Porphyry’s explicit references to the doctrines or practices of non-Greek peoples ever claim any direct knowledge of texts in the relevant languages. For instance, Augustine records that in his *On the Return of the Soul* Porphyry had spoken of the customs and doctrine (*mores et disciplina*) of the Indians and of the initiation (*inductio*) of the Chaldaeans.³¹ In his *On the Derivation of Philosophy from Oracles*, as quoted by Eusebius in the *Praeparatio Evangelica*, he went in for even more sweeping representations of non-Greek doctrines: “For the road to the gods is bound with brass, and both steep and rough; the barbarians discovered many paths thereof, but the Greeks went astray and those who already held it even perverted it. The discovery was ascribed by the god to Egyptians, Phoenicians, Chaldeans (for these are the Assyrians), Lydians and Hebrews.”³² Such a statement of course embodies a view of the limits of Greek philosophy. But it is not a claim to have read original texts in any of the non-Greek languages listed. Moreover, we know that, at least on occasion, when Porphyry attributes doctrines to “the Chaldaeans,”³³ he is speaking of a well-known collection of texts in Greek hexameter verse, the *Chaldaean Oracles*, apparently written in the second century A.D.³⁴ It cannot be clear whether he also depends on this text, itself preserved only in fragments, when in the preface to the *Letter to Anebo* he speaks of the teaching of the Chaldaean wise men (*sophoi*) and the prophets (*prophetai*) among the Egyptians. As elsewhere, his sweeping and inclusive view of “oriental” sources of doctrine is significant for contemporary culture; but such references cannot possibly serve as evidence for actual reading of texts in the languages concerned.³⁵

A fortiori, while it is again significant that his *Life of Pythagoras* represents its subject as learning from Egyptians, Chaldaeans, Phoenicians, Arabs, and “Zaratos” (Zoroaster),³⁶ this has no implications for actual cultural transference in the third century A.D. In all these cases we are clearly dealing with the representation, or manipulation, within Greek culture of the image of non-Greek cultures. It does not follow, of course, that we are never witnessing

the real acquisition of doctrines of patterns of thought. But where we have the best evidence for that, in the fourth book of Porphyry's *On Abstinence*, what we actually see is Porphyry's use either of specific works which had already been translated into Greek, or of elements of non-Greek wisdom which had already been the object of literary representation within Greek culture.

Here Porphyry does indeed turn in succession to the lessons to be drawn, in relation to the eating or sacrifice of animals, from a number of non-Greek cultures (4, 5: "turning to the other races [*ethn̄ ē*]"). But in each case, as becomes quite clear, he is using representations of the relevant belief systems which were already current in Greek. What he records of Egyptian customs comes, as he states explicitly, from the Stoic writer of the first century A.D., Chaeremon.³⁷ For Jewish customs and beliefs, including reports of the Pharisees, Sadducees, and Essenes, he turns to Josephus, referring to the seven books of the *Jewish War* and the twenty of the *Antiquities*.³⁸ He then comes to the customs of the *Syroi*, to whom he attributes an original abstention from living things, and hence from sacrifice, tempered later by the adoption of sacrifice to avert evils, but still accompanied by avoidance of eating meat. It might naturally be supposed that, here above all, he would draw on authentic indigenous information, or at the very least represent himself as so doing. But in fact his sources are given as "Neanthes the Cyzicene" and "Asclepiades the Cyprian," from whom he quotes a story about Pygmalion, a Phoenician king of Cyprus.³⁹ This section then ends with a quotation from Menander.

From there Porphyry continues to Persian customs, deriving his information from "Euboulos who wrote an account of Mithras in many books"; this report seems to be the only evidence for the writer concerned, who may belong to the Antonine period.⁴⁰ Finally, Porphyry moves to the Indians, and to the two sects (*haireseis*) of the naked philosophers (*gymnosophistai*) among them, the Brachmanes and the Samanaioi, referring, as we saw above (text to n. 26), to "Bardesanēs a Babylonian."⁴¹ As we saw also, he does not betray any explicit awareness of the fact that Bardesanēs' works had been written in Syriac.

Three features therefore stand out in Porphyry's use of foreign cultures, and especially "oriental" ones. Firstly, as it seems, his sources were works which had either been composed in Greek or had already been translated from some other language; secondly, he deploys a wide variety of non-Greek belief systems (or Greek representations of

them); and, thirdly, he does not seem to give any special place to “Phoenicians” or “Syrians,” or to assert any positive relationship to them. This point is illustrated, for instance, in a passage from the second book of *On Abstinence*: “For it would be a terrible thing, that while the Syrians do not taste fish and the Hebrews pigs, and many of the Phoenicians and the Egyptians cows . . .”⁴² It must, I think, be admitted that it cannot be proved that Porphyry himself read texts in any non-Greek language, even Phoenician or Hebrew or the varieties of Aramaic, or that he explicitly identifies himself, as represented in his works, as “belonging” to a “Phoenician,” to a “Syrian,” or to a wider “oriental” culture. Even so, it would be legitimate to suppose that there is something more than (approximate) coincidence of time and place in the fact that Porphyry’s recurrent deployment of representations of alien wisdom is clearly paralleled by the presence of the same feature in the work of Numenius and Iamblichus. Numenius came from Apamea in the Orontes valley (an area which, as it happens, has produced no Semitic-language documentary material from the imperial period) and seems to have been writing in the second half of the second century. His Neoplatonic works survive only in fragments, so assertions about either ethnic or cultural self-ascriptions on his part cannot be made with certainty. All the same, it is at least hazardous to assert that his undoubted knowledge of the Old Testament should be interpreted as knowledge of “Semitic literature.”⁴³ The half-stated implication that he might himself have been a speaker of a Semitic language, or have been acquainted with other Semitic literatures, is without positive confirmation. Numenius does, however, like Porphyry, evoke a variety of forms of alien, or “oriental,” learning, asserting that one must go beyond Plato’s works and “appeal to peoples of good reputation, comparing their rites of initiation and their doctrines and propositions insofar as they are accepted as chiming with those of Plato, those that is such as the Brachmanes and Jews and Magoi and Egyptians have laid down.”⁴⁴ The passage would surely not lead anyone to assert that Numenius actually knew the (at least) four wholly separate languages involved, or had read texts in each of them. But it could, of course, be seen as a typically “oriental” view, putting Greek culture in a wider perspective.

Much the same could be claimed of the much better known works of Iamblichus, a younger contemporary of Porphyry, born (it would seem) soon after the middle of the third century, and coming from the small city of Chalcis on the edge of the Syrian steppe, between Apamea and Beroea; this too was part of that central Syrian zone

which (so far at least) has produced no Semitic-language documents dating earlier than the late Empire (when the use of Syriac in Christian contexts spread westwards from the Euphrates). But in his case too the temptation to see him as having been, in cast of mind, “half-oriental” has proved too strong to resist. Hence, it is suggested, the *Chaldaean Oracles* (text to n. 34 above) will have had a natural attraction for him: “half-oriental, half-Hellenic—this kind of writing must have attracted Iamblichus.”⁴⁵

The work which is referred to here, Iamblichus’ *On the Egyptian Mysteries*, duly deploys allusion to a wide range of non-Greek sources of wisdom: the Chaldaean or wise men (*sophoi*) (who recur several times) or Egyptian prophets, or to whole sacred races (*ethnē*), such as Assyrians and Egyptians, whose languages the gods have marked out as fit for the expression of the sacred.⁴⁶ What group Iamblichus will have intended to refer to as “Assyrian” is not immediately clear (text to n. 12 above). It does not become much clearer when we examine a (potentially) important passage early in the first book: “We then, as regards the ancestral doctrines of the *Assyrioi*, will faithfully convey to you our opinion, and, as for our own, will clearly declare them to you.”⁴⁷ The passage clearly supports the idea, presented by a scholion, and borrowed from Proclus, that the author of this work was Iamblichus, but writing in the person of an Egyptian, Abammon.⁴⁸ For just before this the text has referred, as noted above, to “the *sophoi* of the Chaldaeans and the prophets of Egypt.” “Assyrioi” here will therefore mean “Chaldaeans.” Once again, we are in the context of the deployment of various types, or representations, of alien wisdom. It will be no surprise, and does not need emphasis, that the same motif appears also in Iamblichus’ *Life of Pythagoras*, as it had in Porphyry’s. But, if we are looking either for concrete evidence of knowledge and use of non-Greek languages or literatures, or for explicit self-ascription as a “Syrian,” or any other ethnic or cultural designation, we will not find it here.

Conclusion

By its nature, a discussion such as this has to operate at a number of different logical levels, and cannot lead to definite conclusions. Above all, it cannot lead to definite *negative* conclusions. At the end, almost all possibilities still remain open.

However, if we do distinguish carefully between the different logical levels involved, we can at least map out the nature of the

problem more clearly, and also bring out explicitly the unstated implications of the bold presuppositions which have been deployed in interpreting the works of the Neoplatonic philosophers from the Roman province of Syria. Is it either meaningful or helpful to describe Porphyry as “Phoenician,” “Syrian,” or “oriental”? Some empirical tests can be applied, even though wider questions remain open.

All his works are in Greek. Documentary evidence shows that Hebrew, Aramaic, Nabataean (marginally), Palmyrene, and Syriac were all written languages in the third century A.D. There is no comparable evidence for Phoenician. There is no positive evidence that Porphyry spoke or wrote Phoenician, or that he could read Biblical Hebrew, or that he was aware of contemporary Jewish writing in Hebrew (the *Mishnah*) or in Jewish Aramaic. Unlike Eusebius, he shows no explicit awareness that Bardesanes’ works had originally been written in Syriac, gives Bardesanes the distancing appellation of “a Babylonian,” and appears to go out of his way to deny the intelligibility, to Greeks, of “the language of the *Syroi*.” Still less is there any concrete evidence that he could or did study texts in Egyptian or Akkadian, or in Iranian or Indian languages.⁴⁹ All the *explicit* indications which we have for the sources of his awareness of non-Greek cultures, or of representations of them, show that these sources were in Greek.

The hypothesis which this paper tentatively advances is that we should begin our attempts to understand Porphyry, like Numenius from Apamea and Iamblichus from Chalcis, not by applying ethnic labels to them (or to their culture or cast of mind), but by recognising that all three came from precisely that area of the Near East—the only one indeed—where in the third century we have no documentary evidence for the use of any language except Greek (and indeed Latin, a strangely forgotten factor, in that Tyre was now a colony). Porphyry, furthermore, left this area as a young adult and seems to have written all his works in Sicily or Italy. The hypothesis which the mundane factual evidence suggests is simply that his cultural and intellectual identity was Greek and that his intellectual career was conducted “at Rome” (and in Sicily).

This is of course only a hypothesis, or starting point. Nothing said here could serve to prove that distinctively “oriental” patterns of thought did not inform the works of all the philosophers writing in Greek who originated in Roman Syria. Even less do these suggestions explain the significance of the recourse to perceived elements, or

characteristics, of non-Greek cultures which so marks their writings. Still less again can these brief remarks serve to confront the major question of whether, not only in the archaic period (where there is no doubt), but through the Hellenistic and Roman periods, there had been a genuine engagement within Greek culture with (for instance) Egyptian, Babylonian, or Iranian thought, religion, and culture. (That there was such an ongoing engagement with Jewish—and then Christian—religious tradition and culture is, of course, self-evident.) These much wider questions remain open. It may, however, prove useful, even in relation to the major issues, if we learn to approach individual writers without applying to them unexamined presuppositions as to their ethnic and cultural identity.

Notes

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1. See M. Chéhab, “Tyr à l’époque romaine,” *Mél. Univ. St. Joseph* 38 (1962): 11; F. Millar, “The Phoenician Cities: A Case-Study of Hellenisation,” *Proc. Camb. Philol. Soc.* 29 (1983): 55 (= chapter 2 of the present volume); F. Millar, *The Roman Near East, 31 B.C.–A.D. 337* (1993), chap. 8; F. Briquel-Chatonnet, “Les derniers témoignages sur la langue phénicienne en Orient,” *Rivista di studi fenici* 19 (1991): 3.

2. Text in F. Jacoby, *Fragmente der Griechischen Historiker*, no. 290, used in the translations and commentaries by H. W. Attridge and R. A. Oden, *Philo of Byblos: The Phoenician History* (1981), and by A. I. Baumgarten, *The Phoenician History of Philo of Byblos* (1981).

3. *De abst.* 2, 56, 1, also quoted by Eusebius, *Praep. Ev.* 4, 16, 6.

4. Eusebius, *Praep. Ev.* 1, 19, 20 (Porphyry, *FGrH*, no. 260, F. 34 = Philo, *FGrH*, no. 790, F. 1).

5. F. Millar, “The Roman *Coloniae* of the Near East: A Study of Cultural Relations,” in H. Solin and M. Kajava, eds., *Roman Eastern Policy and Other Studies on Roman History* (1990), 7 (= chapter 8 of the present volume).

6. *Dig.* 50, 15, 1.

7. Athenaeus, *Deipn.* 126A.

8. Athenaeus, *Deipn.* 669B.

9. Eusebius, *Mart. Pal.* 5, 1: “A youth in the city of the Tyrians with

the name Oulpianus.”

10. F. Millar, *Roman Near East* (n. 1), 292.

11. *Dig.* 45, 1, 4. Cf. A. Wacke, “Gallisch, Punisch, Syrisch oder Griechisch statt Latein?,” *ZRG* 110 (1993): 14–59.

12. Th. Nöldeke, “ΑΣΣΥΡΙΟΣ, ΣΥΡΙΟΣ, ΣΥΡΟΣ,” *Hermes* 5 (1871): 443; see F. Millar, *Roman Near East* (n. 1), 227, 454ff.

13. Eusebius, *Praep. Ev.* 1, 10, 55.

14. Porphyry, *V. Plot.* 7, 17.

15. Eunapius, *Lives of the Sophists*, 455–56.

16. These questions of evolving nomenclature are not trivial, for they affect issues of ethnic and cultural self-identification, and also (on our part) serious problems of determining by what name individuals were identified. See, for example, A. Cameron, “The Date and Identity of Macrobius,” *JRS* 56 (1966): 25. For an excellent survey, see B. Salway, “What’s in a Name? A Survey of Roman Onomastic Practice from c. 700 B.C. to A.D. 700,” *JRS* 84 (1994): 124.

17. See H. M. Cotton, W. E. H. Cockle, and F. G. B. Millar, “The Papyrology of the Roman Near East: A Survey,” *JRS* 85 (1995): 214–35.

18. For the very modest and ambivalent traces of a Phoenician historical literature, see F. Millar, “Phoenician Cities” (n. 1), 63–65.

19. F. Millar, *Roman Near East* (n. 1), chap. 12. See J. Teixidor, *Bardésane. La première philosophie syriaque* (1992).

20. Eusebius, *HE* 4, 30.

21. See the masterly discussion of all the relevant sections of Porphyry’s works by M. Stern, *Greek and Latin Authors on Jews and Judaism* II (1980), 423ff.

22. For this material, see Schürer, Vermes, and Millar, *History* III (1986), 308ff. and 420ff. See G. Vermes, *The Dead Sea Scrolls in English*⁴ (1995).

23. See H. L. Strack and G. Stemberger, *Introduction to the Talmud and Midrash* (1991).

24. See N. R. M. de Lange, *Origen and the Jews: Studies in Jewish-Christian Relations in Third Century Palestine* (1976).

25. Eusebius, *HE* 6, 19.

26. *De abst.* 4, 17, 1–2.

27. See esp. R. Sorabji, *Animal Minds and Human Morals: The Origins*

of the Western Debate (1993).

28. *De abst.* 3, 3, 3–4. My translation adopts the valuable suggestions by Leofranc Holford-Strevens.

29. Porphyry, *V. Plot.* 16, Loeb trans.

30. *V. Plot.* 3.

31. Augustine, *Civ. Dei* 10, 32; see also 10, 9.

32. Eusebius, *Praep. Ev.* 4, 10, 1–5, trans. Gifford (= Stern, *Greek and Latin Authors* II, no. 450).

33. See Stern, *Greek and Latin Authors* II, no. 452.

34. E. des Places, ed., *Oracles Chaldaïques* (1971); R. Majercik, *The Chaldaean Oracles: Text, Translation and Commentary* (1989). See D. Potter, *Prophets and Emperors: Human and Divine Authority from Augustus to Theodosius* (1994), esp. 203ff.

35. *Letter to Anebo*, ed. A. R. Sodano (1958), *praef.*

36. *Vita Pythagorae*, ed. E. des Places (1982), 6, 11–12.

37. *De abst.* 4, 6. The exposition covers chaps. 6–10.

38. *De abst.* 4, 11–14.

39. *De abst.* 4, 15. For the problems in identifying Neanthes, see R. Laqueur, s.v. “Neanthes,” *RE* XVI, cols. 2108–10, and Jacoby, *FGrH*, no. 84, F. 32 (early third century B.C.), distinguishing him from a later Neanthes, *FGrH*, no. 171. Asclepiades (*FGrH*, no. 752) is quoted only here.

40. *De abst.* 4, 16. *RE* VI, cols. 878–79, s.v. “Eubulos” (15).

41. *De abst.* 4, 17–18.

42. *De abst.* 2, 61, trans. Stern, *Greek and Latin Authors* II, no. 454.

43. So des Places (n. 34), 21.

44. Numenius, “On the Good,” fr. 1a, des Places (n. 34).

45. So E. des Places, *Jamblique: les mystères d’Égypte* (1960), 15.

46. Iamblichus, 1, 1; 1, 2; 7, 7; 9, 4. See esp. 7, 4.

47. Iamblichus, 1, 2.

48. See H.-D. Saffrey, “Les livres IV à VII de *De Mysteriis* de Jamblique relus avec la lettre de Porphyre à Anébon,” in H. J. Blumenthal and E. G. Clark, eds., *The Divine Iamblichus, Philosopher and Man of Gods* (1993), 144.

49. For possible learning of Akkadian by someone from Roman Syria, see the evidence from the *Babyloniaka* of the other Iamblichus, the novelist of the second century A.D., discussed at length in F.

Millar, *Roman Near East* (n. 1), 489ff.

CHAPTER FOURTEEN

Hagar, Ishmael, Josephus, and the Origins of Islam



In memory of Menahem Stern

To me, it is impossible to look back on the life and work of Menahem Stern without seeing him along with two other great scholars: Elias Bickerman and Arnaldo Momigliano. In one way this is a false, or at least a foreshortened, perspective. For these latter two, born in 1903 and 1908 respectively, were both children of the relatively secure period before the First World War. By the time that Stern was born, only a couple of decades later, in 1925, the world had already been transformed. But all three were able to inherit the finest traditions of the European classical scholarship of the nineteenth century; all three, in different ways, combined that formal classical education with the Jewish learning which was native to them; all three were forced by the pressure of circumstances into emigration; and all three came by the end of their lives to produce much of their work in English. In retrospect, I wonder if the wholesale transplantation of European scholarship and science into English-speaking environments in the middle of the twentieth century will not seem a revolution comparable to the Renaissance itself.

That a man born in Bialystok should have written his major work, on the treatment of Jews and Judaism in Greek and Latin authors, in English, was thus a reflection of an immense, world-wide transformation. That he should have done so as a professor in a university founded in Jerusalem in the year of his birth, and that he should have taught, and also written, in Hebrew, was a reflection of another change, whose importance can now hardly be exaggerated: the power of national, or ethnic, historical and cultural traditions, whether truly preserved in written texts and communal observances, or re-discovered and re-activated—or simply invented. The question of ethnicity, of to what group people believe themselves to belong, has emerged as the fundamental issue of the late twentieth century. The issue is determined above all by two things: a common language, whether spoken or confined to written texts, and a common history—or at least a history which is perceived as real, and felt as a common

possession.

In that sense, we ought to acknowledge that the late twentieth-century world of competing ethnic, linguistic, and religious groups is, for good or ill, a Jewish invention, and one whose roots lie far back in the ancient world. For what distinguished the Jews from all the other groups which came within the orbit of Graeco-Roman civilisation was precisely the fact that they already possessed a national religious history, the Bible (even if not yet quite complete in its canonical form), written in a literary language entirely independent of Greek or Latin. Existing as a corpus of literary works, the Bible could be and was translated into Greek in the Hellenistic period.

The significance of this inherited national and religious history was to be brought out most emphatically by Josephus, whose works were in turn to be central to the historical outlook of Christianity—and, in a very different way, to the scholarly concerns of Bickerman, Momigliano, and Stern. For in contrasting the attitudes to “their” literatures of Jews and Greeks, Josephus heavily underscores precisely the difference between an inherited literary culture and an inherited national and religious culture:

Our books, those which are justly accredited, are but two and twenty, and contain the record of all time.

Of these, five are the books of Moses, comprising the laws and the traditional history from the birth of man down to the death of the lawgiver. This period falls only a little short of three thousand years. From the death of Moses until Artaxerxes, who succeeded Xerxes as king of Persia, the prophets subsequent to Moses wrote the history of the events of their own time in thirteen books. The remaining four books contain hymns to God and precepts for the conduct of human life.

From Artaxerxes to our time the complete history has been written, but has not been deemed worthy of equal credit with the earlier records, because of the failure of the exact succession of the prophets.

We have given practical proof of our reverence for our own Scriptures. For, although such long ages have now passed, no one has ventured either to add, or to remove, or to alter a syllable; and it is an instinct with every Jew, from the day of his birth, to regard them as the decrees of God, to abide by them, and, if need be, cheerfully to die for them. Time and again ere now the sight has been witnessed of prisoners enduring tortures and death in every form in the theatres, rather than utter a single word against the laws and the allied

documents.

What Greek would endure as much for the same cause? Even to save the entire collection of his nation's writings from destruction he would not face the smallest personal injury. For to the Greeks they are mere stories improvised according to the fancy of their authors.¹

What Josephus says about the available records of the history of the Jews is also, viewed from a different angle, a statement about the material which he had been able to use for the twenty books of his *Jewish Antiquities*, written in Greek in Rome; beginning with the Creation, this great work carried its narrative continuously to the outbreak of the great revolt in A.D. 66. Josephus did his best—both in the passage cited and elsewhere—to distance himself from the conventions and criteria of Greek literature.² But he was none the less, inevitably, reshaping his material to make it acceptable and intelligible to a Greek readership. This paper is devoted to the way in which one characteristic Greek way of relating the past to the present was taken over by Josephus, and applied to the retelling and exposition of the biblical narrative. If the consequences of his doing so were indeed as will be suggested below, the particular step which he took was to be of very great importance for future religious history.

The mode of thought, or means of categorising information, which Josephus took over from Greek historical writing was that which was expounded by Elias Bickerman in a now famous article of 1952, "Origines Gentium."³ That is to say that one very significant way in which Greeks tended to characterise the various other Greek, semi-Greek, and non-Greek peoples whom they encountered was to identify them in terms of legendary or divine founders who themselves had a place within Greek mythology or mythical history. More important still, these identifications were often taken over and adopted by semi-Greek and non-Greek peoples, with real consequences for both their self-identification and their activities and attachments in the contemporary world. The legend of the descent of the Macedonian kings from Heracles via emigrants from Argos is merely one example, and one which was to have important consequences for the ambitions of Philip and Alexander and for the creation of the Hellenistic world. Another, obviously enough, was the legendary descent of the Romans from a fugitive from the sack of Troy, Aeneas.

Among the peoples for whom Graeco-Roman writers sometimes tried to find a place in their own pre-history, or mythological history, were the Jews. Several different versions of such attempts are found

for instance in Tacitus' *Histories*; as is quite clear from this confused and ill-informed account, discussed with typical charity and dispassion by Menahem Stern, if Josephus found any pagan readers for his *Antiquities* among his younger contemporaries, Tacitus was not among them. Tacitus had indeed, like earlier pagan writers, learned something of Moses and the Exodus. But for his account of the origins of the Jews he produces a typical mixture of versions, strongly influenced by verbal similarities between names, or by the invention of founders whose names are produced by extrapolation backward from current ethnic or local names:

It is said that the Jews were originally exiles from the island of Crete who settled in the farthest parts of Libya at the time when Saturn had been deposed and expelled by Jove. An argument in favour of this is derived from the name: there is a famous mountain in Crete called Ida, and hence the inhabitants were called Idaei, which was later lengthened into the barbarous form Iudaei. Some hold that in the reign of Isis the superfluous population of Egypt, under the leadership of Hierosolymus and Iuda, discharged itself on the neighbouring lands; many others think that they were an Ethiopian stock, which in the reign of Cepheus was forced to migrate by fear and hatred. Still others report that they were Assyrian refugees, a landless people, who first got control of a part of Egypt, then later they had their own cities and lived in the Hebrew territory and the nearer parts of Syria. Still others say that the Jews are of illustrious origin, being the Solymi, a people celebrated in Homer's poems, who founded a city and gave it the name Hierosolyma, formed from their own.⁴

Such a means of categorisation and identification might well also have been applied by Greek and Latin writers to the Arabs, or, as they came more generally to call them in the course of the imperial period, "Saracens." Our conceptions of what such a categorisation of the "Saracens" might have been like would no doubt be clearer if we still possessed the excursus on them which Ammianus Marcellinus attached to an early (and now lost) book of his *History*, dealing with the reign of Marcus Aurelius.⁵ But the *Arabes* or *Arabioi* of antiquity have so far not had a Menahem Stern to collect and analyse all the classical references to them, which begin in the fifth century with Aeschylus and Herodotus.⁶ Much is indeed reported—above all as preserved in Diodorus, Strabo, and Pliny the Elder—about the extensive area, from the Tigris to the Yemen, as well as the Eastern Desert of Egypt, which could be described as "Arabia," and about its

products and the customs and beliefs of the peoples who lived there.⁷ Pliny in particular notes the names of a large number of Arab *gentes* (tribes) and *oppida* (settlements), as does Ptolemy in his *Geography*.⁸ But, so far as I can determine, no Greek or Roman writer made any serious attempt to provide an ancestry, from within pagan mythology, either for the Arabs as a whole or for individual peoples who were regarded as “Arab.” As regards the various “Arab” peoples, it would in any case be a mistake on our part to expect too much consistency on the part of classical writers in identifying stable “tribal” groupings or in attaching definite names to them; for we have to allow for fluctuations over time, for movements in space, for ignorance or confusion among Graeco-Roman observers, for the notorious difficulties of transliteration as between Semitic and Indo-European languages, and for inaccurate manuscript transmission. None the less, it is worth recording that the “*Arabes* who are called *Thamoud ē noi*” recorded by Diodorus (3, 44, 6) as inhabiting the eastern coast of the Red Sea reappear as *Tamudaei* in Pliny (6, 32), as *Thamoud ē noi* in Ptolemy, and as *Thamouda* in Uranius, apparently writing in the fourth century.⁹ Much more important, they are recorded in both Greek and Nabataean in an important inscription of the 160s A.D. from Ruwwāfa in the northern Hedjaz: the “tribe” appears as “the nation [*ethnos*] of the *Thamoud ē noi*” in Greek and as SRKT TMWDW in Nabataean.¹⁰ They are thus localised exactly in the region where Ptolemy, at about the same moment, puts them. The inscription, naming Marcus Aurelius and Verus, and two governors of the Roman province of Arabia, shows the *Thamudeni* already within the orbit of the Roman imperial power; that they remained so, and continued to be a definite “tribal” group, is clearly implied by the fact that cavalry units called *Equites Saraceni Thamudeni* are found serving in the late Roman army.¹¹

At least for the nearer peoples, therefore, Graeco-Roman literary sources *could* embody a reasonably consistent record of locality and identity. In other words Graeco-Roman culture did exhibit some curiosity about the peoples, designated by a considerable variety of “tribal” names, who inhabited the Syrian steppe and the Arabian peninsula. But, as was only to be expected, Graeco-Roman writers recorded rather more information about the settled population of Arabia Felix (the Yemen), to some extent about the inhabitants of the mountain chain (and trade route) of the Hedjaz, and particularly about the *Nabataioi*, the inhabitants of the kingdom which would in A.D. 106 become the Roman province of “Arabia.” Graeco-Roman

writers (particularly Diodorus and Strabo) had no hesitation in describing the *Nabataioi* as *Arabes*.¹² The same does not however seem to have applied to the *Itouraioi* who lived on and around Anti-Lebanon; references to them by pagan writers are few, and Strabo for instance speaks of “*Itouraioi and Arabes*” as inhabiting this mountain region. Indeed Cassius Dio, writing in the first half of the third century A.D., seems to be the only pagan writer who is attested, in a single passing reference, as describing the “*Itouraioi*” as “*Arabes*.”¹³

In other words Graeco-Roman observers applied the term “Arab” to a variety of peoples, both settled and nomadic, in the vast area stretching from northern Mesopotamia to the Arabian peninsula, while also being aware of a long list of different “tribal” names in use among them. If the surviving evidence is at all representative, they did not devote a lot of attention to “Arab” customs. Nor, more important, did they have any motive to construct a common descent for all Arabs, or to locate their origins within the framework of their own mythology, as they did with so many other neighbouring peoples. It is impossible to say that they could not have done so. Greek genealogical ingenuity could easily have been extended to the Arabs. But, as it seems, it was not until the first century B.C. that this mode of categorisation was brought into play in relation to them. Moreover, when it was, the mythological framework to which the Arabs were attached was not Greek but biblical. What seems to be the earliest representation of the origins of the Arabs by a pagan Greek writer is offered by Apollonius Molon in the first century B.C. As Martin Goodman points out to me, it is extraordinary that a pagan writer should have applied biblical genealogy to the Arabs, and difficult to imagine that he could have done so without borrowing the idea from a Jewish source. But it is extremely important to what follows that Molon’s writings were well known to Josephus. But whether Josephus’ much more extensive elaboration of this theme, to which he attaches meanings which, so far as we know, were quite foreign to Molon, was directly inspired by him, we do not know. The passage of Molon in which he gave a compressed and confused account of the descent of the Arabs from Abraham was to be reproduced by Eusebius as follows:

Molon, who composed the invective against the Jews, relates that the man who survived the flood left Armenia with his sons, having been expelled from his native place by the inhabitants of the land. Having traversed the intermediate country, he came to the mountainous part of Syria, which was desolate. After three generations Abraham was

born, whose name signifies the friend of the father. This man was wise and eagerly went to the desert. He took two wives, one a local and a relative of his, and the other an Egyptian handmaid. The Egyptian woman bore him twelve sons, who emigrated to Arabia and divided the country between themselves; they were the first to be kings over the inhabitants of that country. Consequently, till our times there are twelve kings among the Arabs who are namesakes of the sons of Abraham.¹⁴

It is thus striking that the legendary common genealogy with which the Arabs were not supplied from within Graeco-Roman mythology was derived instead from written Jewish tradition. Moreover, it was to be made explicit, in far more detail and with the attachment of fateful religious connotations, precisely by the Jewish writer who, as we have seen, most emphatically asserts his distance from Greek culture, from Greek historiography, and from the typical uses to which Greeks put the past: Josephus.

To do so, he did precisely what a pagan Greek writer would have done: that is to say he found appropriate starting points within the available corpus of mythological history, and developed these with explicit reference to the present. In doing this, he was quite clearly influenced by Graeco-Roman categories of interpretation, of the type mentioned above, and already applied to Jews. For he quotes in the *Antiquities* a passage of Alexander Polyhistor, who like Apollonius Molon wrote in the first century B.C. In it Alexander quotes an extract from an earlier writer called Cleodemus or Malchus, which both uses the name of a grandson of Abraham and Keturah and combines Greek and Jewish mythological history:

All these sons and grandsons Abraham contrived to send out to found colonies, and they took possession of Troglodytis and that part of Arabia Felix which extends to the Red Sea. It is said moreover that this Eôphrên led an expedition against Libya and occupied it and that his grandsons settled there and called the land after his name Africa. I have a witness to this statement in Alexander Polyhistor, whose words are as follows: "Cleodemus the prophet, also called Malchus, in his history of the Jews relates, in conformity with the narrative of the lawgiver Moses, that Abraham had several sons by Katura. He moreover gives their names, mentioning three—Aphas, Sures, Japhras—adding that Sures gave his name to Assyria, and the two others, Japhras and Aphas, gave their names to the city of Aphra and the country of Africa. In fact, he adds, these latter joined Heracles

in his campaign against Libya and Antaeus; and Heracles, marrying the daughter of Aphranes, had by her a son Didorus, who begat Sophon, from whom the barbarians take their name of Sophakes.”¹⁵

As we can already see, Josephus’ procedure depended partly on the proper names to be found in the text of the Bible. It is therefore unfortunate that we cannot be sure whether he used the Hebrew original or only the LXX; nor (in either case) exactly what forms of these names his text, or texts, offered. But what is most significant is, as we will see, that he took the genealogies found in Genesis, and deployed there primarily as the lines of descent of *individuals*, with indications at certain points of whole peoples who descended from them, and identified the peoples concerned with groups existing in the present. In the case of many of these he offers no further interpretation; but in the case of those contemporaries whom he identifies as “Arabes” he goes significantly beyond Molon, in offering the legendary genealogy which he has supplied as an explanation of a religious custom of theirs: circumcision.

As indicated above, what Josephus does is to take certain plausible starting points found in Genesis and develop them explicitly, not to invent traditions *ex nihilo*. To understand what he does it is necessary to follow his exposition of the Genesis narrative step-by-step.

Genesis 10: The Descendants of Noah’s Sons

Josephus’ method may be illustrated by setting out what he makes of Genesis 10:2–5:

Sons of Japheth; Gomer, and Mag ^ḡ g, and Madai, and I ^ḡ van, and Elisa and Thabel, and Mosoch, and Thiras. And sons of Gomer: Askhanaz, and Riphath, and Torgmah. And sons of I ^ḡ van: Elisah, and Tharsis, Kitoi, Rodoi. By these were the isles of the nations/races divided in their lands; every one according to his tongue, by their tribes, and by their nations/races.

Both the Hebrew and the LXX texts then proceed directly with no further comment, to list the sons of Ham. Josephus’ interpretation of this passage, as given in the Loeb translation (made with the full awareness of the problems about the transmission of names), amounts to a very extensive re-writing. It runs as follows:

Japheth, son of Noah, had seven sons. These, beginning by inhabiting the mountains of Taurus and Amanus, advanced in Asia up to the river Tanais and in Europe as far as Gadeira, occupying the territory upon which they lit, and, as no inhabitant had preceded them, giving their

own names to the nations. Thus those whom to-day the Greeks call Galatians were named Gomarites, having been founded by Gomar. Magog founded the Magogians, thus named after him, but who by the Greeks are called Scythians. Two other sons of Japheth, Javan and Mados, gave birth, the latter to the Madaeans—the race called by the Greeks Medes—the former to Ionia and all the Greeks. Theobel founded the Theobelians, nowadays called Iberians. The Meschenians, founded by Meschos, are to-day called Cappadocians, but a clear trace of their ancient designation survives; for they still have a city of the name of Mazaca, indicating to the expert that such was formerly the name of the whole race. Theires called his subjects Theirians, whom the Greeks converted into Thracians. So numerous are the nations founded by the sons of Japheth.¹⁶

Genesis 16–17: Abraham, Sarah, Hagar, and Ishmael: The Covenant and the Obligation of Circumcision at Eight Days

At this point, Genesis (17:25) notes only that Ishmael, born (16:15) before the Covenant was given, was aged thirteen when circumcised. Josephus also (*Ant.* 1, 10, 186–93) makes no systematic editorial comment except to promise (192) a discussion of circumcision elsewhere.

Genesis 21:1–5: Birth of Isaac to Sarah, and His Circumcision at Eight Days

It is here that Josephus makes his most significant intervention in, or extrapolation of, the biblical text. Anticipating an exposition of genealogy which he has not yet provided (see below), he expounds the significance of the two moments of circumcision, at eight days and at thirteen years:

Eight days later they promptly circumcised him; and from that time forward the Jewish practice has been to circumcise so many days after birth. The Arabs defer the ceremony to the thirteenth year, because Ishmael, the founder of their race, born of Abraham's concubine, was circumcised at that age.¹⁷

Josephus is thus alluding to a proposition, not yet established in his narrative, that Ishmael was the founder (*ktistēs*) of the race (*ethnos*) of the "Arabs" and offers this as his explanation of a custom currently observed by them.

Genesis 25:12–15: The Descendants of Ishmael

Genesis records: “These are the descendants of Ishmael, son of Abraham, whom Hagar the Egyptian woman, the maidservant of Sarah bore to Abraham.” (The Egyptian origin of Hagar had been indicated in 16:1–3.) Twelve names are then given: “Neba’ioth, the first-born of Ish’mael and Kedar and Adbeel, and Mibsam; and Mishma, and Dumah, and Masa; **Ḥ** adad, and Tema, Jetur, Naphish, and Ked’emah.”

In the LXX this list comes out in the form: “Neba’ioth and Kedar and Nabdeel and Mossam and Masma and Idouma and Mass **Ḥ** and adad and Thaimon and Jetur and Naphes and Kedma.”

In both texts these names are listed in the first instance simply as those of individuals. But both then go on to say that these were the rulers of peoples: “these are their names according to their settlements and encampments, twelve rulers over their peoples” (25:16).

It should be noted that neither the Hebrew text nor the LXX gives the names of the “peoples,” nor (*a fortiori*) makes any reference to their current locations or customs. An extremely obscure reference to location is attached (25:18) only to the name of Ishmael himself, after the report of his death: “from Havilah to Shur, which is to the east of Egypt on the way to ‘Assyria.” Earlier, after Hagar and Ishmael had been driven out, both texts (21:20–21) had described them as living in the desert of Pharan.

It is again Josephus who makes a decisive editorial intervention at this point and not only locates the relevant peoples in the contemporary world but stresses their relationship to Abraham. After repeating the names as found in the LXX, but—as he always does—with Greek endings (Nabai **Ḥ** th **Ḥ** s, K **Ḥ** daros, and so forth), he continues:

These occupy the whole territory stretching from the Euphrates to the Red Sea, having given it the name “Nabat **Ḥ** n **Ḥ** .” These are they who have named the people of the “Arabes” (*to t **Ḥ** n Arab **Ḥ** n ethnos*) and their tribes after themselves, because of their own distinction and the honour of Abraham.¹⁸

Josephus reinforces this point later when he inserts a story of the dream of Amram, the father of Moses: God appeared to him in his sleep and reminded him, among other things, of how Abraham “had bequeathed to Ishmael and his descendants the land of the Arabes.”¹⁹

“Ishmaelites” and Arabs

At a number of points the Hebrew Bible and the LXX make passing allusions to “Ishmaelites.” None of these passages contradicts, and all are compatible with, an underlying presupposition that “Ishmaelites” are nomads from the desert. They may be assumed to wear gold rings (cf. Judges 8:24 on the booty taken by Gideon from the *Midianites*, who are called Ishmaelites in this verse), or may be associated with tents or camels.²⁰ But in no case is any further comment offered, nor any common descent explicitly alluded to, other than that to be deduced from the name itself (which is, however, *not* used, in either the Hebrew or the Greek, in the account in Genesis of the descendants of Ishmael). Nor still less is there any allusion to a resemblance or relationship in customs or observances between Israelites and Ishmaelites. In Psalms 82/83:7, indeed, there is a clear allusion to the hostility of the surrounding peoples: “the tents of Edom, and the Ishmaelites, Moab and the Agarim.”

It should be noted also, as shown in an important article by I. Eph’al, that while the term “Arab” is used in the Bible as the designation of nomadic individuals or peoples, no explicit identification of “Ishmaelites” and “Arabs” is offered anywhere in the biblical text.²¹ Josephus’ introduction of this equation is therefore a deliberate editorial decision on his part.

The relative brevity and lack of interest which characterise biblical references to the “Ishmaelites,” compared with the editorial expansions by Josephus, are very clear in Josephus’ highly novelistic retelling of the story of Joseph. In the biblical narrative his brothers “raised their eyes and saw a party of Ishmaelites coming from Gilead, and their camels laden with gum, balm and resin, on their way down to Egypt,” and Joseph was sold to them. In the alternative version which is awkwardly combined with this, Joseph was put in the well, but then sold to the Ishmaelites not by his brothers but by some Midianite merchants.

Here again Josephus makes the ethnic identity of the Ishmaelites quite explicit: “But Judas, another of the sons of Jacob, having seen some Arab traders of the race of Ishmaelites conveying spices and Syrian merchandise from Galad $\bar{\epsilon}$ n $\bar{\epsilon}$ for the Egyptian market, after Rubel’s departure advised his brethren to draw up Joseph and sell him to these Arabs.”²² The term “Arab” is not used of the Ishmaelite merchants in either the Hebrew text or the LXX. It is again Josephus’ own interpretation.

Biblical Topography: “Nabat 𐤍 𐤍”

There is another significant aspect to Josephus’ consistent tendency to make these allusions more concrete and to relate them to the contemporary world. As in the passage cited above, where he identifies the area where the descendants of Ishmael lived as “Nabat 𐤍 𐤍,” it is specifically to the Nabataeans that he attaches the terms “Arab” and “Arabia” (and never specifically to either the “Itouraioi” or the “Idoumaioi”).²³ Thus he speaks of Jonathan Maccabaeus as invading “Arabia” and making war on the “Nabat 𐤍 noi.”²⁴ What is more, he also intervenes in the biblical narrative to make concrete allusions to the Nabataeans. The most striking instance is his account of the death of Aaron, developed from the narrative in Numbers 20:22–29. There the death takes place on Mount Hor situated “on the frontier of Edom.” There is nothing to suggest that these expressions would have conveyed any necessary and unambiguous identification of a precise place to readers in the Hellenistic or Roman periods (except that it was south of the river Arnon, Num. 21:13). Josephus therefore had a choice: to leave his version equally vague, or to import a precise identification. He took the latter course:

After a purification held in such wise in consequence of the mourning for the sister of their chief, he led his forces away through the desert and came to a place in Arabia which the Arabs have deemed their metropolis, formerly called †Arce†, to-day named Petra. There Aaron ascended a lofty mountain range that encloses the spot, Moses having revealed to him that he was about to die.²⁵

The Semitic name which Josephus gives to Petra here is certainly corrupt in the text, for he returns to it later in another passage where he equally makes the deliberate choice to import into his narrative a reference to the capital of the Nabataeans, here significantly described as “the whole Arab nation.” This is the point (Num. 31:8) at which Moses’ forces slaughter the *Madianites*, including all five of their kings, of whom one is called RQM/LXX: *Rokom*. Josephus transliterates the name as *Rekemos*, giving it a Greek ending as usual. He then continues, with no authority from the biblical text: “the city named after him had the highest prestige of all in the land of the *Arabes*, and to this day is called by the whole Arab nation by the name of the king who founded it ‘Rekem 𐤍,’ being called ‘Petra’ among the Greeks.” *Rekem 𐤍* must have been what he wrote in the passage quoted above, as a Nabataean inscription confirms.²⁶

Josephus has thus chosen a way of vocalising the name which he

There is nothing to suggest that Josephus saw the Itouraiοi as descendants of Ishmael, as “Arabs,” or as having already practised circumcision (even if at age thirteen); they are in fact mentioned by him only here.

A much larger part is played in Josephus by *Idoumaia* and the *Idoumaioi*—and not least because as (originally) forced converts to Judaism the Idumaeans were to play a major role in the Jewish history of the first centuries B.C. and A.D. But in fact Josephus not only fails to connect them with “Idoumas” the son of Ishmael but explicitly says that their territory had originally been called *Ad ḡ mos* (“Edom”), and that it had been the Greeks who had called it *Idoumaia*.³³ In fact, he hardly could have deployed this item of mythical genealogy, for he subscribed instead to the conception, already found in 1 Maccabees, that the Idumaeans were descended from Esau.³⁴ Whether this claimed genealogy had originally provided any ideological basis for their forced conversion is another question. In their case also, when Josephus refers to this forcible conversion to Judaism, imposed by John Hyrcanus, he makes clear that circumcision was a novelty, which—like other Jewish observances—the Idumaeans accepted under duress, as being preferable to losing their land: “and with the passage of time it came about in their case that they ‘were’ Jews.”³⁵ Yet even Strabo can assert that the *Idoumaioi* were originally *Nabataioi*, who were expelled by them, and later attached themselves to Jewish customs.³⁶ Josephus could easily have placed a different construction on their conversion.

It should be made clear that what we are speaking of here is neither the (unknowable) realities of biological descent nor the historical “facts” of actual relations between the Jews and their neighbours, but the ethnic and religious categories used by Josephus. In the case of the *Itouraiοi* and *Idoumaioi* he does not, and in the case of the *Nabataioi* he does, take the opportunity to connect (at least implicitly) the name of one of the legendary sons of Ishmael to a current ethnic name; to assert categorically that this ethnic group were *Arabes*; therewith to emphasise the descent from Abraham which they shared with the Jews; and to use the story of Abraham, Hagar, Ishmael, Sarah, and Isaac to explain both a custom (circumcision) allegedly common to both groups and a significant variation (circumcision at eight days and at thirteen years).

It cannot of course be claimed that Josephus either intends to, or does, *confine* the description “Arab” to the Nabataeans. As we have

seen, the preface to his *Jewish War* reflects his awareness that there were “Arabs” living beyond the Euphrates, in Parthian domains. One such, “Abias king of the Arabs,” indeed appears in his narrative of the conversion to Judaism of the ruling house of Adiabene.³⁷ He can also refer to Arab dynasts operating in Syria in the late Hellenistic period,³⁸ and makes an allusion to Arabia Felix (*Eudaimon*), the Yemen.³⁹ On one occasion, but as it seems only one, he also speaks of groups other than the Nabataeans, among those bordering on Judaea, as being “Arab.” This is when he records that Alexander Jannaeus conquered “of the Arabs the *Moabitai* and the *Galaaditai*.”⁴⁰

Josephus’ use of the term was thus not strictly confined to one political group, the inhabitants of the kingdom which had its capital at what he calls “Arabian Petra.” But a large proportion of his uses of the term do refer to this territory, its population, and their kings. What is more, when he encounters the term *Nabataioi* in a narrative source, 1 Maccabees, he can expand it by writing *Nabataioi Arabes*.⁴¹ In any case, his identification of the descendants of Ishmael is, as we have seen, quite specific in relating them to the geographical area now called *Nabat* $\bar{\epsilon}$ *n* $\bar{\epsilon}$.

We can be reasonably confident that this very concrete identification was original to Josephus; as to *why* he should have chosen to emphasise so strongly this conception of a common descent and common source of religious observances as between Jews and (Nabataean) Arabs, I can see no immediate explanation. But even if, as it seems, this very specific conception was his alone, there may of course have been a wider presupposition, within Judaism, that Arabs in general were to be understood as descendants of Ishmael and as sharing with Jews a common genealogy and religious inheritance. In the nature of the case, it would be impossible to prove a negative here, not least because only fragments of an originally very considerable post-biblical Jewish literature, in Hebrew, Aramaic, and Greek, survive.⁴² But it can at least be said that explicit expressions of any conception of a significant relationship between Jews and Arabs are extremely rare outside Josephus. It plays no part in Maccabees, in spite of the centrality in both books of the question of Jewish relations with the peoples living around them.⁴³ It remains paradoxical that among Hellenistic sources the common descent of Jews and Arabs is represented most clearly by a pagan writer, Apollonius Molon (text to n. 14 above).

So far as I can determine, the question of the genealogy and

religious affiliation of Arabs does not arise anywhere in the surviving intertestamental Jewish literature, with the sole exception of a passage in *Jubilees*. This work, whose original Hebrew version certainly belongs to the Hellenistic period, retells the story of Abraham, Sarah, Hagar, and Ishmael, the Covenant, and the circumcision of Isaac. It also records that Ishmael was then circumcised too, though without specifically mentioning his age at that moment. But it continues by proclaiming with great emphasis that the Covenant was to be solely for those circumcised at eight days, and categorically excludes Ishmael and his descendants: “For Ishmael and his sons and his brothers and Esau, the Lord did not cause to approach him.”⁴⁴ Consistency is however, not one of the author’s strong points. So in chapter 20 he vastly expands the brief account in Genesis 25:5–6 of how Abraham gave gifts to the sons of his concubines and sent them away. In *Jubilees* Abraham preaches to them (and to Isaac and his sons) a sermon on virtuous living and the observance of the Covenant. Only after that does he send them away:

And he gave to Ishmael and to his sons, and to the sons of Keturah, gifts, and sent them away from Isaac his son, and he gave everything to Isaac his son. And Ishmael and his sons, and the sons of Keturah and their sons, went together and dwelt from Paran to the entering in of Babylon in all the land which is towards the East facing the desert. And these mingled with each other, and their name was called Arabs, and Ishmaelites.⁴⁵

As this passage now stands, it brings together the descendants of Hagar and those of Keturah, and categorises them both as “Arabs and Ishmaelites.” But what we have depends on Latin and Ethiopic translations of a Greek version. The discoveries at Qumran have made it certain that the Greek version goes back to a Hebrew original, probably composed in the second century B.C.; but the quite numerous Hebrew fragments do not happen to include this passage.⁴⁶ So precisely how it read in the original cannot be determined.

So far as our evidence goes, therefore, it was Josephus alone who both emphasised the common genealogical origins of circumcision as practised by Jews and Arabs, and specifically identified the descendants of Ishmaelites among the peoples of the contemporary world, classifying them as “Arabs” and taking as the prime group among “Arabs” the Nabataean inhabitants of the kingdom whose capital was Petra.

Was this identification to have any consequences? Or, even if it

itself were not taken up, can it be seen as a reflection of any generally accepted identification within Judaism, from which consequences could be drawn? The answer to both questions, as concerns Jewish tradition, seems to be no. There is, of course, nothing to suggest that Josephus' works continued to be read within the Jewish community of Judaea itself; and if there ever were a literature produced by the Jewish diaspora within the Roman Empire of earlier centuries A.D., it has disappeared without trace.⁴⁷ Within rabbinic literature there are of course allusions to "Arabs" and "Ishmaelites," whether as individuals who might be encountered in the vicinity or as peoples living further away. But it is a long time since these were collected, and rather summarily discussed.⁴⁸ There is almost nothing to suggest that "Ishmaelites" were understood to have a genealogical relationship to Jews. The sole exception known to me is offered by I. Eph'al: in the Jerusalem Talmud there is a story of some priests escaping to the Ishmaelites, taken to be located in "Arabia" ('RB), where they are betrayed by some whom they trusted as cousins (BNY DWDY').⁴⁹ Nor is there any significant indication that the "Ishmaelites" were conceived of as particularly promising converts to Judaism, to which they had an ancestral claim; or, alternatively, that they were seen as a potential threat, as rival claimants to that same inheritance. The sole reflection of any such attitude seems to be a legend which is told both in Genesis Rabbah and in the Babylonian Talmud. In the former the story relates how "in the days of Alexander of Macedon" the Ishmaelites came to dispute before him the birthright of Israel, accompanied by the Canaanites and the Egyptians. In the latter the rival claimants are firstly the "Africans" BNY AFRYQY', saying that their descent was from Canaan; then the Egyptians; and finally the Ishmaelites and Keturaeans. All are made to refer to the roles of their ancestors in relation to the Holy Land, as portrayed in the Bible. But no special claim, in terms of religious observances, is represented as being made by the last group.⁵⁰

In short, a brief exploration of the concerns of that Judaism which is represented in the Mishnah, Talmud, and Midrash does not seem to suggest that the claim of "Ishmaelites" to the inheritance of Abraham was felt to be an important issue. To the very small extent that such an issue does appear, it has to be stressed that both of the works just quoted reached the form in which we have them after the question had been given a quite new level of significance by a new factor: the preaching of Christianity among the Arab peoples of the marginal zones of the Roman Near East, that is, the Sinai peninsula and the

Syrian desert.

Even in this context the issue arose much later and more hesitantly than might have been expected. For the questions of the legitimate inheritance of Abraham, of the necessity of circumcision, of the meaning of the story of Hagar and of the validity of the Mosaic law were all raised in the very earliest Christian writings which we possess, the letters of Paul. In what is almost certainly the earliest of all, Galatians, Paul performs a remarkable feat of interpretation in relating his message to the story of the two sons of Abraham:

Tell me then, you are so eager to be subject to the Law, have you listened to what the Law says? Scripture says that Abraham had two sons, one by the slave girl and one by the freewoman. The son of the slave girl came to be born in the way of human nature; but the son of the freewoman came to be born through a promise. There is an allegory here: these women stand for the two covenants. The one given on Mount Sinai—that is Hagar, whose children are born into slavery; now Sinai is a mountain in Arabia and represents Jerusalem in its present state, for she is in slavery together with her children.⁵¹

The crucial point in Paul's preaching was however the claim which he had made in passing earlier in Galatians (3:6): that it had been the faith in God which Abraham had displayed, and not the Law, which had been crucial, and it had been this which had been "accounted to him for righteousness." This claim is explored more fully in Romans, almost certainly written a few years later, with the very significant additional precision that Abraham's faith had been displayed while he was still uncircumcised. Hence he was to be the father not only of the circumcised but of all those who believed while uncircumcised; as the "father of many nations [*ethnē*]," he was "the father of us all."⁵²

The claim that there could be, and was, a legitimate claim to the inheritance of Abraham which was independent of and logically prior to circumcision, and *a fortiori* to the Mosaic Law, "which came 430 years later,"⁵³ was (and is) fundamental to Christianity. Moreover, in their subsequent missionary preaching Christians were clearly not compelled to attach any importance to the question of whether the groups concerned had or had not previously practised circumcision. At the same time, as is well established, it was they, and not his fellow Jews, who took up and exploited the presentation of history from the Creation to the fall of the Temple which was offered by Josephus.⁵⁴

Given what was said above about the nature of Josephus' retelling of the story of Abraham, Hagar, and Ishmael in the *Antiquities*, there

were two rather different ways in which it might have been exploited by Christians. The first was to take up Josephus' specific identification of the descendants of Ishmael with the Nabataeans, the population of the kingdom whose capital was Petra. In 106, however, when hardly any Christian literature outside the New Testament had been written, Nabataea was absorbed by Rome, and became the Roman province of "Arabia," covering approximately the same geographical limits: the Negev and Sinai, the northern Hedjaz, and the entire habitable zone east of the Jordan rift from Aqaba to the southern Hauran. Here, in the area of the Decapolis, the province extended further north than had the kingdom, to include the Greek cities of Philadelphia and Gerasa. In the steppe to the east both the Nabataean and then the Roman presence extended at least to the oasis of Duma or Dumatha (Jawf).⁵⁵ The early history of Christianity within this quite extensive Roman province cannot however be written. We have indeed no certain evidence of Christian bishops and congregations there until the third century. The earliest of whom we hear in Eusebius is Beryllus, bishop of Bostra, apparently in office for several decades in the first half of the century. It is however worthy of note that Eusebius introduces him by saying "he was bishop of the Arabs at Bostra."⁵⁶

Christian observers might thus, as suggested above, have taken the opportunity to characterise the inhabitants of this province as "Ishmaelites," already practising circumcision, and with a special claim to the inheritance of Abraham. In the *Epistle of Barnabas* indeed, it is claimed that "every Syrian and Arab" is circumcised, as well as all the (Egyptian) priests—but the author immediately states that that does *not* bring them within the Covenant.⁵⁷ It does not seem, however, even though observers could describe the Christians of the province of "Arabia" as "Arabs," that their status as such presented either any particular problems or any particular opportunities for Christian interpretation. In reality, as the story of Origen's exchanges with Beryllus of Bostra makes clear, the church in "Arabia" was Greek-speaking like that elsewhere in the eastern Roman Empire.⁵⁸

It is none the less in the mid-third century, and in the writings of Origen, that the question of the historic religious identity of the "Ishmaelites" began to make its appearance in Christian writings. Thus, for example, in the *Contra Celsum* Origen notes that the Jews distinguished their custom of circumcision from that of the "Ishmaelite Arabs," although Ishmael was the son of their father Abraham and had been circumcised with him.⁵⁹ Similarly, but

selecting a slightly different aspect, Eusebius in the *Praeparatio Evangelica* notes that among the Ishmaelites of “Arabia” all are circumcised at age thirteen, “for this is recorded of them.” His dependence on Josephus (direct or indirect) is clear.⁶⁰ None the less, even in this period, while the presumptions of a common descent, or the (partially) common custom of circumcision can be alluded to, no positive conclusions are drawn from it. Such a deduction began to appear only when the extension of Christianity beyond the area of direct Roman control came in question. We see a version of it, for instance, in the account by Philostorgius of a Christian mission sent by Constantius II (A.D. 337–61) to “the Sabaeans, now called Homeritai” (the inhabitants of Arabia Felix, or Himyar, that is the Yemen): “this race is descended from those born to Abraham by Keturah” (text to n. 15 above). Philostorgius goes on to say that they carried out circumcision on the eighth day, while also being pagans who worshipped the Sun, Moon, and local deities; “but a not inconsiderable number of Jews is intermingled with them.”⁶¹

Though Philostorgius does not offer any such explicit interpretation, it was thus possible for Christians to see peoples living in the Arabian peninsula as having largely but not wholly lapsed from their ancestral Jewish customs and as having adopted paganism. It was to be precisely this presumption, based on Josephus’ equation of “Arabs” with the descendants of Ishmael, which was to be so important in the fifth century.

Before that, however, two other significant applications of collective nomenclature have to be noted. Firstly, as early as Strabo, a tribe or people called *Agraioi* had been listed among the peoples of the Arabian peninsula. Pliny in his *Natural History* notes them also, as does Ptolemy in his *Geography*.⁶² But Ptolemy also lists, as one *ethnos* among others, the *Thamud ē noi* (text to n. 9 above), and also the *Sarak ē noi*, who thus make their first appearance in Graeco-Roman literature. *Sarak ē noi*, or in Latin *Saraceni*, comes by the fourth century to be the standard term for any unsettled desert peoples living along the fringes of the Fertile Crescent, in the Negev and Sinai and in the mountainous Eastern Desert of Egypt. As such, the term is used by pagans, for instance, Ammianus Marcellinus, as well as by Christians, and normally has no religious or genealogical implications.⁶³ But with this extension of the term Saracens to all the unsettled peoples of the marginal steppe or desert zones there also went, but in Christian writers only, the attachment to it of the description Ishmaelites. It

should be emphasised that *Sarak ʿ̄ noi* had at one point, as Ptolemy's usage makes clear, been the name of one specific group, among others. But *Ishmaelites* never was; it had never been used by pagan writers, and was an appellation or characterisation whose meaning was derived from an interpretation of Genesis. Thus, for instance, in Jerome's vividly novelistic *Life of Malchus*, travellers on the road between Beroea and Edessa, where "Saracens" are described as roaming, are attacked (at a dramatic date around the middle of the fourth century) by a wild band of *Ishmaelites*. The two terms are clearly intended as synonymous.⁶⁴

It was however still possible in the late fourth century to argue that the practice of circumcision by these peoples should be seen as a mere fact, with no religious significance. This is indeed firmly asserted by Epiphanius. "What have the Ebionites to boast of in practising circumcision, when idolaters and the priests of the Egyptians observe it? But so also do the 'Sarak ʿ̄ noi,' who are also called 'Isma ʿ̄ litai,' observe it, as do the Samaritans and Jews and Idumaeans and 'Hom ʿ̄ ritai.' But of these most do not practise this as a matter of the Law, but by a sort of unreflecting custom."⁶⁵

However, just about the time that Epiphanius was completing this work, in the later 370s, the first clearly attested collective conversion of a "Saracen" people to Christianity was taking place. This was the un-named group, temporarily led—after the death of her husband—by a queen called Mavia.⁶⁶ They seem to have lived in the Sinai Peninsula, to have had a treaty relationship with Rome and to have rebelled in the spring of 378, spreading their ravages over the neighbouring provinces. When peace was made, it was on condition that this people should convert to Christianity, while they in their turn stipulated that a hermit from Sinai named Moses should be consecrated as their bishop. He was brought to Alexandria for this purpose.

To Rufinus (*HE* 11, 6) the people concerned were "a nation of Saracens"; to Theodoret (*HE* 4, 20) "tribes of Isma ʿ̄ litai"; to Socrates (*HE* 6, 38) again "Sarak ʿ̄ noi." But it is Sozomenus, writing in the 440s, who attaches to this episode comments and explanations of his own, which are of the utmost importance in religious history and deserve to be set out in full:

This is the tribe which took its origin and has its name from Ishmael, the son of Abraham; and the ancients called them Ishmaelites after their progenitor. As their mother Hagar was a slave, they afterwards,

to conceal the opprobrium of their origin, assumed the name of Saracens, as if they were descended from Sarah, the wife of Abraham. Such being their origin, they practice circumcision like the Jews, refrain from the use of pork, and observe many other Jewish rites and customs. If, indeed, they deviate in any respect from the observances of that nation, it must be ascribed to the lapse of time, and their intercourse with the neighbouring nations. Moses, who lived many centuries after Abraham, only legislated for those whom he led out of Egypt. The inhabitants of the neighbouring countries, being strongly addicted to superstition, probably soon corrupted the laws imposed upon them by their forefather Ishmael. The ancient Hebrews had their community life under this law only, using therefore unwritten customs, before the Mosaic legislation. These people certainly served the same gods as the neighbouring nations, honouring and naming them similarly, so that by this likeness with their forefathers in religion, there is evidenced their departure from the laws of their forefathers. As is usual, in the lapse of time, their ancient customs fell into oblivion, and other practices gradually got the precedence among them. Some of their tribe, afterwards happening to come in contact with the Jews, gathered from them the facts of their true origin, returned to their kinsmen, and inclined to the Hebrew customs and laws. From that time on, until now, many of them regulate their lives according to the Jewish precepts. Some of the Saracens were converted to Christianity not long before the present reign. They shared in the faith of Christ by intercourse with the priests and monks who dwelt near them, and practised philosophy in the neighbouring deserts, and who were distinguished by the excellence of their life, and by their miraculous works.⁶⁷

Sozomenus also adds to those remarks a further story of how at the time mentioned (the earlier fifth century) another whole tribe (*phylē*) under a tribal leader (*phylarchos*) called Zokomos had been converted when a monk had cured his childlessness on condition of his adopting Christianity. As I. Shahid suggests, this may be a reference to the important federate people, the Salihids.⁶⁸

As has often been noted, however, the significance of the conceptions expressed by Sozomenus far outweighs any such narrative details.⁶⁹ For, firstly, Sozomenus brings out the full implications of the descent of the “Saracens” from Ishmael, even interpreting the name itself as a claim to descent from Sarah. Other Christian writers of this period, however, took the opposite view, taking *Agar ē noi* or in Latin

Agareni as a general appellation for contemporary “Saracens.” It seems quite likely that in doing so they were both generalising and attaching a genealogical meaning (descent from Hagar) to the tribal name *Agraioi* earlier attested in pagan sources, or perhaps to the HGRYM/*Agar ē noi* occasionally alluded to in the Bible.⁷⁰ Epiphanius at any rate states categorically that the name had been derived from Hagar: Ishmael, the son of Hagar, founded Pharan in the desert, and had twelve sons, “from whom (there descend) the tribes of the *Agar ē noi*, also called *Isma ē litai*, but who are now called *Sarak ē noi*.”⁷¹

Sozomenus’ interpretation of this latter term (as relating to Sarah) seems to have been unique to himself, and we cannot be certain how far the other ideas which he expresses would have been generally shared. But, like Philostorgius, he sees the “Ishmaelites” as having with time partially lapsed into paganism, while preserving some Jewish customs—circumcision and (he adds) abstention from pork. But what is unique and striking about his observations is his claim that contact with Jews, apparently recent, had led some of them to recognise their true origin and to return to Jewish customs.

We cannot tell in which region or regions Sozomenus means to suggest that this contact and reconversion took place—not presumably in Saba/Himyar, whose population was not, it seems, conceived of as “Ishmaelite”; possibly in the Hedjaz, but far more probably on the fringes of the Roman provincial area, or—most probably of all—in Sinai, to which (though he does not explicitly say so) the story of Mavia in fact seems to relate. But it is of crucial significance that he admits the reality of two separate paths to the recovery of the inheritance of Abraham which were being taken by “Ishmaelites” in his time: via Judaism and via Christianity.

The long and complex story surveyed here must end at this point. To the best of my knowledge we have little direct or contemporary evidence of active conversions to Judaism among the Arabs in the period of rather more than a century between the writing of Sozomenus’ *Ecclesiastical History* and the birth of Muhammad; but Islamic sources do of course record that there were “Jewish” tribes in the Hedjaz in Muhammad’s time. Their origin, whether by conversion or emigration (less likely), seems not be known.⁷² But we do on the other hand have vivid narrative representations of “Ishmaelite” conversions to Christianity, from Sozomenus’ contemporary, Theodoret of Cyrrhus, in his *Philotheos Historia*, a series of biographical sketches of the monks and hermits of the Syrian region in

the fourth and fifth centuries.⁷³ Thus among the varied groups which came to see Symeon Stylites were “Ishmaelites” who thereupon renounced the worship of Aphrodite, accepted Christianity, and ceased to eat the meat of asses and camels (26, 13). A partial acceptance of Jewish dietary laws was thus said to have accompanied their adoption of Christianity. But the clearest parallel to Sozomenus’ conception of the “Ishmaelites” as now having the opportunity to recover a lost ancestral heritage comes from Theodoret’s account of an Ishmaelite called Abbas, who began by attaching himself to a hermit, named Marosas, living in the desert, before moving to the monastery of Teleda in 406: “There was in this sacred place someone—they give him the name of Abbas—who sprang from the Ishmaelite root, but was not banished from the house of Abraham in the manner of his forefather, but shared with Isaac in his paternal inheritance, or rather seized the very kingdom of Heaven itself” (4, 12). The slight hesitation at the end of the passage was of course wholly justified. For to share with Isaac the patrimony of Abraham now meant, in Sozomenus’ conception, the adoption of an extreme form of Christian asceticism.

This paper cannot pretend to tackle the complex question of competing religious and cultural influences in the Roman provincial area and the Hedjaz in the period of over a century and a half between the composition of Sozomenus’ *Ecclesiastical History* and of Theodoret’s *Philotheos Historia* and the earliest preaching of Islam. Suffice to note that there is suggestive, if uncertain, new archaeological and epigraphic evidence from the Negev which seems to date to this period and to suggest the existence there of a monotheistic cult with an emphasis on Abraham.⁷⁴ All that is offered here is an analysis of how fluid the patterns of allusion to “Ishmaelites,” “Arabs,” and “Saracens” in Jewish and Christian writings were; equally, how these were influenced by the Greek ethnographic tradition of identifying contemporary “peoples” in terms of their descent from mythical “founders” or “forefathers”; and how central a place in the construction of a genealogical and religious connection between Jews and Arabs was occupied by Josephus. We cannot, it is true, be certain whether Josephus’ identification of Arabs as the descendants of Hagar and Ishmael was original to himself, or whether he was the first to attribute the Arab practice of circumcision to their descent from Abraham. But no other Jewish writer known to us presented this view so consistently, or was so influential in later Christian thinking. Because of that influence, it is suggested here, he had an important posthumous role in the formation of Islam. It was

not to be expected that Josephus could ever have occupied the honoured place given in the Koran to a succession of figures from both the Old and the New Testaments, including Mary and Jesus. But none the less it was the pattern of the very clear ethnographic choices which he made in retelling biblical history which was later to offer Christians the possibility of holding out to the “Saracens”—or “Ishmaelites”—of the desert a particular claim to share with them in the true inheritance of Abraham.

Notes

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1. Josephus, *C. Apion.* 1, 42–45, Loeb trans.

2. See also *BJ* 1, *pr.* 1–16; *Ant.* 20, 259–68.

3. E. Bickerman, “Origines Gentium,” *Class. Philol.* 47 (1952): 401 = *Religions and Politics in the Hellenistic and Roman Periods* (1985), 399.

4. Tacitus, *Hist.* 5, 2, 1–2, Loeb trans. = Stern, *Greek and Latin Authors* II, no. 281.

5. Ammianus 14, 4, 2.

6. See the typically concise and exhaustive treatment by Th. Nöldeke, s.v. “Arabia, Arabians,” *Enc. Bibl.* I (1899), 272; Aeschylus, *Pers.* 316; Herodotus 2, 11; 3, 107–13. See now J. Retsö, *The Arabs in Antiquity: Their History from the Assyrians to the Umayyads* (2003).

7. See, e.g., Diodorus 2, 48, 1–5; 3, 43–48; 19, 94, 1–95, 2; Strabo, *Geog.* 1, 2, 34 (41–42), from Posidonius (*FGrH* 87, F. 105a; Edelstein-Kidd, F. 280); 2, 5, 32 (130); 16, 1, 11–12 (741); 16, 4, 1–27 (767–85); Pliny, *NH* 6, 142–62.

8. Ptolemy, *Geog.*, ed. Nobbe, 5, 17: “The map of Arabia Petraia,” mentioning (para. 3) “the *Sarak ̑ ne*” (the earliest attested use of the word) and “the *Pharanitai*” (for the significance of Pharan, in the Sinai Peninsula, in biblical tradition, see text to nn. 18 and 71 below); 5, 19: “The map of Arabia Deserta.” Note the peoples listed in 5, 19, 2, including the *Agraioi* (cf. the *Agraei* recorded by Pliny, *NH* 6, 154 and 161, and see further text to nn. 69–71 below); 6, 7: “The map of Arabia Felix.” Note esp. 5, 7, 21, the long list of peoples listed as occupying the mountainous northern part of the inland region, including *Sk ̑ nitai* (treated here as an ethnic name), *Sarak ̑ noi* (as with *Sarak ̑ ne* above, the earliest use), *Thamud ̑ noi*, and in 5, 7, 23, *Thanou ̑ tai*.

9. Diodorus 3, 44, 6; Pliny, *NH* 6, 32; Ptolemy, *Geog.* 5, 21 (see n. 8); Uranius, *FGrH* 675, F. 12.

10. The best treatment remains G. W. Bowersock, “The Greek-Nabataean Bilingual Inscription at Ruwwāfa, Saudi Arabia,” in J. Bingen, G. Cambier, and G. Nachtergaeel, eds., *Le monde grec: hommages à Claire Préaux* (1975), 513.

11. *Not. Dign.*, Or. 25, 4, ed. Seeck.

12. See n. 7 above.

13. Strabo, *Geog.* 16, 2, 18 (255); Dio 49, 12, 2: “The Ituraeans, namely the Arabs.” Cf. 49, 32, 5.

14. For the passage of Eusebius, *Praep. Ev.* 9, 9, 1–3, citing the passage of Apollonius Molon quoted below, see Stern, *Greek and Latin Authors* I, no. 46. The passages deriving from Josephus, *C. Apionem*, are nos. 47–50.

15. Josephus, *Ant.* I, 239–41, Loeb trans. For a detailed discussion, see C. R. Holladay, *Fragments from Hellenistic Jewish Authors I: Historians* (1983), 245ff.

16. Josephus, *Ant.* 1, 122–25, Loeb trans.

17. Josephus, *Ant.* 1, 214, Loeb trans.

18. Josephus, *Ant.* 1, 220–21.

19. Josephus, *Ant.* 2, 213.

20. Note that Josephus is recounting the story of Gideon, drops the detail about the rings, but retains in *Ant.* 5, 229, the identification of some of the defeated enemy as “Arabs”—“The Midianites [*Madi nitai*] and the Arabs [*Arabes*] fighting on their side.” For an Ishmaelite and camels, cf. 1 Chron. 27:30.

21. See I. Eph'al, “‘Ishmael’ and ‘Arab(s)’: A Transformation of Ethnological Terms,” *JNES* 35 (1976): 225.

22. Genesis 37:25–28; 39:1; Josephus, *Ant.* 2, 32.

23. See K. H. Rengstorff, *A Complete Concordance to Flavius Josephus*, supp. I (1968), *Namenwörterbuch*, ed. A. Schalit, s.vv.

24. *Ant.* 13, 180.

25. Josephus, *Ant.* 4, 82–83, Loeb trans.

26. Josephus, *Ant.* 4, 161. The Semitic name of Petra is attested in Nabataean, as RQM̄W, in an inscription published by J. Starcky, “Nouvelle épitaphe nabatéenne donnant le nom sémitique de Pétra,” *RB* 72 (1965): 95–97. I am grateful to Avraham Negev for reminding

me of this text.

27. Josephus, *BJ* 1, 6.

28. There is in fact a puzzle here for there seems to be an implicit difference of opinion among specialists in Nabataean, a dialect of Aramaic, as to whether NB ^T W denotes a people or a region. The latter view is taken by J. Cantineau, *Le Nabatéen* II (1932), 119: “de pays ou de lieu.” But the former view is taken consistently in modern treatments of the royal titulature as found on inscriptions and coins. See, e.g., Y. Meshorer, *Nabataean Coins* (1975).

29. Note, however, that E. C. Broome, “Nabaiat, Nebaioth and the Nabataeans: The Linguistic Problem,” *JSS* 18 (1973): 1, argues that the crucial factor will have been pronunciation rather than spelling, and that a shift from a written form with *tau* (T) to one with *tet* (^T) could have occurred. The argument is necessarily hypothetical.

30. See 1 Macc. 5:25; 9:35.

31. See K. H. Rengstorf (n. 23), s.vv.

32. Josephus, *Ant.* 13, 318–19. One other passage, *Ant.* 15, 185, identifies a person as an *Itouraios*.

33. *Ant.* 2, 1–3.

34. 1 Macc. 5:65 (defined by locality, i.e., Hebron and Marisa); cf. Josephus, *Ant.* 12, 328, typically expanding his reference to the same episode: “To the sons of Esau, the Idumaeans.”

35. *Ant.* 13, 257–58.

36. Strabo, *Geog.* 16, 2, 34 (760) = Stern, *Greek and Latin Authors* I, no. 115.

37. Text to n. 27 above; *Ant.* 20, 75–80.

38. *Ant.* 13, 117–18, from 1 Macc. 11:16–17; *Ant.* 13, 384, an Arab dynast called Zizos near Beroea.

39. *Ant.* 1, 239—also settled by descendants of Abraham; see text to nn. 14–15 above. Note also *Ant.* 9, 102.

40. *Ant.* 13, 374.

41. 1 Macc. 9:35—*Ant.* 13, 10.

42. The most detailed survey is that by G. Vermes and M. D. Goodman in Schürer, Vermes, and Millar, *History* III.1–2.

43. See the passing references to “Arabes” in 1 Macc. 5:39; 11:17 (see n. 38); 12:31 (“against the Arabes who are called Zabadaioi”); 2 Macc. 5:8 (“to Aretas, the *tyrannos* of the Arabs”—the first reference

to the Nabataean dynasty); 12:10–11.

44. *Jubilees* 14–15, trans. of 15:30 from R. H. Charles, *Apocrypha and Pseudepigrapha of the Old Testament II* (1913).

45. *Jubilees* 20, 11–13, trans. Charles.

46. See Schürer, Vermes, and Millar, *History* III.1, 308–18; see also the introduction, translation, and notes by O. S. Wintermute in J. H. Charlesworth, ed., *The Old Testament Pseudepigrapha II* (1985), 35.

47. See F. Millar, “The Jews of the Graeco-Roman Diaspora between Paganism and Christianity, A.D. 312–438,” in J. Lieu, J. North, and T. Rajak, eds., *The Jews among Pagans and Christians in the Roman Empire* (1992), 97 (= chapter 17 of the present volume).

48. See S. Krauss, “Talmudische Nachrichten über Arabien,” *ZDMG* 70 (1916): 321.

49. See Eph‘al (n. 21), 233, citing *yTa’anit* 4:69b, Zhitomir, ed., vol. II, p. 22a, lines 20–27. I am grateful to Martin Goodman for locating this passage for me.

50. *Midrash Rabbah*, *Genesis* 61:7; *bSanh.* 91a. Both references are given by P. Crone and M. Cook in *Hagarism: The Making of the Islamic World* (1977), 8. For an up-to-date discussion of the possible dates of composition of the two works, see H. L. Strack and G. Stemberger, *Introduction to the Talmud and Midrash* (1991), 208ff. (Talmud), 300ff. (Genesis Rabbah).

51. Galatians 4:21–25, trans. New Jerusalem Bible.

52. Romans 4.

53. Galatians 3:17.

54. On this much-studied question, see H. Schrekenberg, *Die Flavius—Josephus—Tradition in Antike und Mittelalter* (1972); *Rezeptionsgeschichtliche und textkritische Untersuchungen zu Flavius Josephus* (1977); M. E. Hardwick, *Josephus as a Historical Source in Patristic Literature through Eusebius* (1989).

55. See G. W. Bowersock, *Roman Arabia* (1983).

56. Eusebius, *HE* 6, 20, 2. Cf. 6, 33, and A. von Harnack, *Die Mission und Ausbreitung des Christentums*⁴ II (1924), 699ff.

57. *Barnabas* 9, 6.

58. See Eusebius, *HE* 6, 33. The title of the article by G. Kretschmar, “Origenes und die Araber,” *Zeitschrift für Theologie und Kirche* 50 (1953): 258, is thus potentially misleading. If there was in reality anything distinctively “Arab” in the heresies concerned, there

is as yet no way of demonstrating it.

59. Origen, *C. Cels.* 5, 48, 3.

60. Eusebius, *PE* 6, 11, 69 (29/3b).

61. Philostorgius, *HE* 3, 4.

62. Strabo, *Geog.* 16, 4, 2 (767); Pliny, *NH* 6, 154; 161; Ptolemy, *Geog.* 5, 19, 2; see n. 8 above.

63. A few examples may be given, without any attempt at exhaustiveness: Eusebius, *HE* 6, 42, 4; *Pan. Lat.* 2 (12), 22, 3; 11 (3), 5, 4; Ammianus 14, 4, 1; 8, 5; 22, 15, 2; 23, 3, 8; 6, 13; 24, 2, 4, etc.; Julian, *Ep.* 27 Hertlein = 98 Bidez-Cumont = 58 Loeb (401D).

64. Jerome, *V. Malchi* 4.

65. Epiphanius, *Panarion* 30, 33. See F. Stummer, s.v. "Beschneidung," *RAC* II (1954), on 160.

66. For the best account, see G. W. Bowersock, "Mavia, Queen of the Saracens," in W. Eck, H. Galsterer, and H. Wolff, eds., *Studien zu anticken Sozialgeschichte: Festschrift F. Vittinghoff* (1980), 477. For Sinai, rather than the Hauran, as the primary location of this unnamed people, see Z. Rubin, "Sinai in the Itinerarium Egeriae," *Atti del Convegno Internazionale sulla Peregrinatio Egeriae 1987* (1989): 177.

67. Sozomenus, *HE* 6, 38, trans. C. D. Hartranft in *Nicene and Post-Nicene Fathers* (repr. 1976).

68. So I. Shahid, *Byzantium and the Arabs in the Fifth Century* (1989), 3ff.

69. See, e.g., M. Cook, *Muhammad* (1983), 81. The background is very fully discussed in Shahid (n. 68), 167–68.

70. See text following n. 20 and to n. 62 above. Cf. Jerome, *Ep.* 129, 4: "Not to mention . . . the Arabs and the *Agarenoi* now called Saracens." See J. Spencer Trimingham, *Christianity among the Arabs in Preislamic Times* (1979), 312–13.

71. Epiphanius, *Panarion* 4, 6–7.

72. Trimingham (n. 70), 249.

73. See P. Canivet and A. Leroy-Molinghem, eds., *Théodore de Cyr, Histoire des Moines de Syrie I–II (Sources Chrétiennes 234, 257, 1977 and 1979)*.

74. See Y. D. Nevo and J. Koren, "The Origins of the Muslim Descriptions of the *Jāhilī* Meccan Sanctuary," *JNES* 49 (1990): 23, esp. 41ff. I am very grateful to Jeremy Johns for this reference, and to Martin Goodman both for the opportunity to present these arguments

at a seminar in Oxford in autumn 1991 and for a very helpful critical reading of the paper.

CHAPTER FIFTEEN

Ethnic Identity in the Roman Near East, A.D. 325–450: Language, Religion, and Culture



For a historian who approaches the social, cultural, and religious history of the Near Eastern provinces of the Roman Empire in the period between Constantine and Mahomet, it does not take long to become painfully aware of having had few predecessors, or of the reasons why this might be so. For the evidence—literary, epigraphic, and archaeological—is immense, and in the sixth century, though not earlier, it is joined by two major collections of papyri, from Nessana and, very recently, Petra.¹ “Literary” in this context refers not just to vast ranges of text, in Latin, Greek, Syriac, and Jewish Aramaic, as well as retrospective narratives in Arabic, but to a truly remarkable series of original manuscripts in Syriac, starting with one, now in the British Museum, written in Edessa in A.D. 411.² The corpus of inscriptions from this region and period, never collected or analysed, includes examples written in Latin, Greek, Syriac, Jewish Aramaic, Hebrew, and Arabic; and within this corpus two categories perhaps stand out as being of exceptional importance: the extensive mosaic inscriptions from Palestinian synagogues, written in varying combinations of Hebrew, Jewish Aramaic, and Greek (which thus represent the fullest *documentary* evidence for “Talmudic Judaism”); and the small, but extremely significant, corpus of pre-Islamic Arabic texts. The most important of these are both explicitly Christian, and date from the sixth century: a trilingual inscription of A.D. 511 from Zebed in northern Syria, in Greek, Syriac, and Arabic; and a bilingual one of A.D. 568 from the Lejja south of Damascus.³

This paper, however, will confine itself, as being a preliminary exploration of some aspects of ethnicity and communal identity in this area, to the period from Constantine’s acquisition of the eastern provinces to the Council of Chalcedon of A.D. 451. Among other things it will briefly consider the identity attributed, by themselves and others, to “Arabs” (or “Saracens” or “Ishmaelites”) in the period up to the mid-fifth century. It will also look, but again far more briefly than the evidence warrants, at both the Jews and the Samaritans, seen as ethnic, religious, and linguistic communities. If it is true, as

generally believed, that the “Jerusalem” or “Palestinian” Talmud is a product of this period, it would be possible in principle to study the representations of both Jewish (and Samaritan) identity and non-Jewish identities as visible in its pages. But no attempt to do this will be made here, nor will the vast mass of Syriac writing be explored for the same purpose.

The complex interlocking issues of the representation of communal identities (whether self-ascribed or ascribed to other groups), of religious identities (for instance, in the representations of heresies, whether Christian or sub-Christian), and of the use and role of different languages, will thus for the moment be approached mainly through Greek and Latin texts, primarily literary works, but also inscriptions.

The relevance of Latin is, of course, the simple fact that the areas concerned are taken as being defined by their having been provinces of the Roman Empire. That fact has more relevance to the question of “ethnic identity” than it might seem at first sight. Firstly, it is quite a profound question whether the population of the Near Eastern provinces, all now Roman citizens and subject to Roman private law, saw themselves as “Romans,” or regarded Roman history and tradition, or Latin literature, as in any way “theirs.”⁴ Alternatively, they and others might have identified certain cities, particularly some of those which had been made Roman colonies in the High Empire, as being distinctive pockets of “Romanness.” The most obvious case is Berytus, where the teaching of Roman law remained important throughout late antiquity;⁵ thus Jerome, for instance, in his *Letter* 108, duly attaches the label “colony” to Berytus.⁶ At Heliopolis, always closely tied to Berytus, and also in the “colonial” zone, Latin public inscriptions continue unusually late, until the 340s;⁷ but after that the specifically “Roman” character of the city is no longer evident. Jerome, the most important observer of the area writing in Latin, is also well aware of the complex successive transformations of the city which we naturally call “Jerusalem,” but which, as he knew well, had been made into the Roman colony of Aelia Capitolina by Hadrian, and was now in the process of evolving from a pagan into a Christian city, and from a Latin- into a Greek-speaking one.⁸ It is very significant that when Jerome alludes in passing to the career of Hilarion, the important ascetic from Gaza of the first half of the fourth century, he stresses that the saint had deliberately avoided Aelia Capitolina, to keep himself away from the taint of pagan customs.⁹

By and large, neither a “Roman” ethnicity nor the Latin language, so far as can be seen, played any significant part in determining personal or group identity in the Near East in this period, either in society in general or within the Christian church. The most specific allusion to the communal use of Latin is provided by the report from the western pilgrim Egeria or Aetheria in the 380s, of the presence of Latin-speakers, some of whom are at one point called *Graecolatini* (speakers of both Greek and Latin), in the Christian congregation in Aelia Capitolina. But, if anything, the account indicates how rapidly Aelia Capitolina had become a predominantly Greek-speaking place. This report, discussed in more detail below, in any case, gives much more prominence to the presence of speakers of Syriac or Aramaic.¹⁰

Given that the formal status of those of the cities of the region which were Roman colonies is hardly expressed any longer in the evidence from this period,¹¹ it ought all the more to be stressed that the entire area of all the provinces concerned was divided between Greek cities and their territories. With the literally marginal exception of Arab or Saracen allies (*foederati*) under their tribal leaders (*phylarchoi*), to which we will come later, there were in the late Roman Near East no local territorial political formations of any kind other than Greek cities. This fundamental fact has to be stressed also as regards Palestine; the Jewish and Samaritan populations living there represented very important and distinctive ethnic, religious, and to some extent linguistic communities, in some sub-regions apparently constituting a majority of the population. But the political and governmental structures within which they lived were those of Greek cities with their surrounding territories.

As for what meaning one should attach to the expression “Greek city,” as represented in this region in the fourth century and the first part of the fifth, there has in fact been remarkably little research. Apart from the excellent work of Liebeschuetz on Antioch,¹² based on the speeches and letters of Libanius, it is hard to find more than scattered hints of the functioning of the traditional civic institutions of the Greek city, the assembly (*ekklēsia*), city council (*boulē*), and annual magistrates (*archontes*). Theodoret, for instance, refers in passing to a man “of bouletic rank” from the small city of Zeugma on the Euphrates.¹³ Or, in greater detail, the emperor Julian, in his last letter, describes how he received a delegation from the city council of Antioch at his stopping place at Litarbae, a village in the territory of Chalcis, and then went on to Beroea, where he sacrificed on the

acropolis and delivered a brief address to its city council.¹⁴ But how the internal government and communal life of the long-established pagan cities evolved in this period it is not yet possible to say. There have, however, been important studies of the survival of pagan cults and ceremonials,¹⁵ and our sources also give ample evidence of physical attacks on temples by Christians, and the conversion of some of them into churches.¹⁶ Mark the Deacon's *Life of Porphyry*, the bishop of Gaza, represents the fullest picture available to us of a still-pagan city, whose temples succumbed to violent Christian assault early in the fifth century.¹⁷

In this context it will be sufficient to touch only in passing on the Greek cities and on the peaceful or violent progress of their Christianisation, while admitting the limited extent of modern study; for, whatever else was at stake, issues of ethnicity and language do not seem to have been important in this context. For, just as the cities seem all to have been, in the conduct of their public business, Greek, so also was the Christian church. On the pagan side, I know of almost no contemporary sources which represent any pagan cult of this period as having been the expression of a non-Greek "ethnicity" or communal identity, or as having employed any language other than Greek (one puzzling exception is noted below, n. 62). On the Christian side, there is every indication, as we will see, that at least as regards its governing structures, its modes of communication between bishops, or between bishops and the state, and in its public expression in the form of inscriptions (the only strictly contemporary testimony), the church in the Near East was still predominantly a Greek-speaking organisation (or network of linked local organisations).

That may seem a rash and unsustainable claim, and it is indeed only valid in the strict terms in which it is expressed. For, if we look at the wider context from other angles, it is beyond doubt, firstly, that the use of a Semitic language, Syriac or Aramaic, in various dialects, was characteristic of all the Roman provinces of the Near East. Secondly, it is of crucial importance that the Roman imperialism of the later second and early third centuries had led to the acquisition of northern Mesopotamia, which rapidly emerged as the heartland of a Christian literature in Syriac, whose greatest exponent, Ephraim, was born in Nisibis in the early fourth century, and died in Edessa in 373. Thirdly, it was the great Christological disputes of the early fifth century which were to lead in the end to the emergence of two Syriac-speaking churches, separated from the Greek Orthodox Church,

namely the Nestorian Church (or Assyrian Church of the East) and the Monophysite Church (or Syrian Orthodox Church).¹⁸

Should we therefore not see Near Eastern Christianity in this period as a zone of conflict or tension between two competing ethnicities, Greek on the one hand and “Syrian” on the other? Our first problem is how to characterise and name the non-Greek language concerned. To summarise a discussion pursued in more detail elsewhere,¹⁹ it should first be stressed that contemporary observers experienced no such problem. To them, the Semitic language in use in Mesopotamia, Syria, Palestine, and Arabia was simply “the Syrian language” (*dialektos* or *glōtta*, or in Latin *Syrus sermo*). Our problem arises *only* from the modern convention of using “Syriac” in a more restricted sense, to denote the script, dialect, and (by now) Christian language of culture which had evolved not in Syria but in Mesopotamia. If we indeed confine “Syriac” to this more limited application, we have to find another term, “Aramaic,” for the Semitic language which (as, for instance, Theodoret attests) was spoken by many in Syria proper (and had earlier been used in public written form in Palmyrene inscriptions, though no longer was), or for that which appears on Jewish and Samaritan inscriptions from Palestine (as well as being the language of the “Palestinian” Talmud), and which was also spoken by others in the wider Palestinian area.

In many ways, it might be more convenient to follow contemporary nomenclature, and to use the expression “Syriac” for all of these different varieties of the Semitic language concerned, keeping distinctive names only for Hebrew and Arabic. The only reason for not doing so is that this usage would tend to obscure three closely related parallel developments which are significant, and which all show how “Syriac” (in the narrower sense), as both a distinctive script and as a Christian language of culture, came to spread slowly westwards from Mesopotamia across the Euphrates to northern Syria, beginning (just about) in the fourth century, and becoming more fully established there in the fifth and sixth centuries. I refer to three different aspects. Firstly, there is the composition of Christian literary works in Syriac, something which is not attested in Syria proper (the areas which the Romans called “Syria”) until the first half of the fifth century.²⁰ Then there is the impressive and very important series of dated Syriac manuscripts, already referred to (n. 2 above), which begins with one written in Edessa in A.D. 411, and which often indicates the place of writing also. The earliest surviving Syriac manuscript attested as

written west of the Euphrates seems to be one written at Mabbug (Hierapolis) in A.D. 510/11.²¹ Finally, there are Syriac inscriptions on churches. The earliest example seems to be represented by a small group of Greek and Syriac inscriptions from Zebed, not far west of the Euphrates, and dating to about 337, and the next comes from the limestone massif east of Antioch, dating to 387: but this is a single transliterated Greek name, accompanying a Greek text.²² There are some more cases from the fifth century, but the majority belong to the sixth.

It is important not to miss the significance of the westward spread of Christian literary composition, manuscript copying, and epigraphy in Syriac (in the narrow sense). But, that said, it is also relevant to look at what contemporary sources record of the currency of “the Syrian language,” in the wider sense, throughout the provinces concerned. The first thing to stress is that the nomenclature now used for the Roman provinces can be seen to have had a surprising influence on attributions of ethnicity. Without it being worth following in detail various boundary changes and transformations in the official designations of provinces, it will be enough to record that in the later fourth and fifth centuries, the relevant Roman provinces were as follows: “Mesopotamia” (the central part of the north Mesopotamian shelf, now deprived of Nisibis, which had been lost to the Persians in 363); “Osroene”; “Euphratensis” (the area of southern Turkey and northern Syria as far west as the Amanus, and stretching down the right bank of the Euphrates to Circesium); “Syria Prima” and “Secunda” (respectively the remaining northerly and central regions of Syria); “Phoenice” (roughly modern Lebanon); “Phoenice Libanensis” (covering much of the southern part of modern Syria, including Palmyra and Damascus); “Palaestina Secunda” (roughly Galilee); “Palaestina Prima” (roughly Judaea); “Palaestina Tertia” or “Salutaris” (the Negev and the southern part of the former kingdom of Nabataea, including Petra); and “Arabia” (roughly Moab and the Decapolis, including Philippopolis, Gerasa, and Philadelphia). Many of these names were either quite new, like “Euphratensis,” or were new in their current official application. They all represented successive imperial choices and definitions, rather than being expressions of ethnicity.

It is therefore quite surprising to find that the most systematic late Roman observation which we have on the currency of “the Syrian language” in these regions makes quite systematic use of ethnics, or

pseudo-ethnics, derived from these artificial provincial titles. The observation in question, like so many others, derives from a discussion of a passage in the Bible. It comes from the *Questions on the Book of Judges* by Theodoret, bishop of Cyrrhus, and will have been written some time in the first half of the fifth century. Theodoret is commenting on Judges 12:6, in which the Gileadites are recorded as being able to identify whether people are Ephraimites or not by whether they pronounce a word “shibolet” (ŠBLT) or “sibolet” (SBLT)—and in the latter case proceeding to kill them. Theodoret comments: “In the same way, the Osro $\bar{\epsilon}$ noi and Syroi and Euphrat $\bar{\epsilon}$ sioi and Palaistinoi and Phoinikes use the *ph* $\bar{\omicron}$ *n* $\bar{\epsilon}$ of the Syroi; but all the same their *dialexis* exhibits many differences.”²³ Theodoret does not deploy here ethnics derived from the names of all of the potentially relevant provinces, and in particular Mesopotamia and Arabia are not represented. But the claim that there is a common language is unambiguous, as is, in the context, the use of *dialexis* to refer to variations of pronunciation. There may also have been variations of dialect (in vocabulary or grammar), but no claim as precise as that is made by Theodoret. The reference is to spoken language, and there is certainly no allusion to variations in script.

The non-Greek ethnicities which Theodoret envisages are therefore, on the one hand, a set of regional groupings, defined by Roman provincial territories (one of them, *Syroi*, being used in the specific sense of inhabitants of Syria Prima and Secunda), and on the other *Syroi* in a wider sense, namely all those using the relevant language. Are we then confronted with an ethnicity, or nationality, which could be seen, by the persons concerned or by others, as distinct from, or opposed to, that attaching to “Greeks”?

As indicated already, there is nothing to suggest the existence, anywhere within the Near Eastern provinces, of any political formations which were non-Greek, or “Syrian,” in ideology or official language, and this is true even of the main cities of the primary area of Syriac Christian culture, Osrhoene and Mesopotamia (further evidence might of course disprove this generalisation, just as we would not necessarily have assumed that Syriac would have been in use for legal transactions in Osrhoene in the mid-third century, as is now shown by the three remarkable Syriac parchments of around A.D. 240).²⁴ The fact that the *Chronicle of Edessa*, which lists events in the history of the city up to A.D. 540, is in Syriac,²⁵ does not show that in the period with which we are concerned the city had used Syriac as its

official language. The opposite is indeed implied by the two fourth-century Syriac martyr acts which recount events in Edessa in the Tetrarchic period, and which reveal a city whose public vocabulary is Greek.²⁶

Was there nonetheless a “Syrian” section of society, or a recognisable Syrian *ethnos*, even if one which existed within political and communal structures which were predominantly Greek? It is Theodoret again who casts the most light on this question. Speaking of Ephraim, in the course of giving a list of the most prominent representatives, both Greek and Latin, of orthodox conceptions of Christ, he describes him as “the lyre of the Spirit, who daily refreshes with the waters of grace the *ethnos* of the *Syroi*.”²⁷ As we will see in a moment, there is more than adequate anecdotal evidence to show that *speakers* of “the Syrian language” could be found in the two Syrian provinces, in Palestine proper and in what was now called Palestina Tertia. But were they, or some of them, also *readers* of the works of Ephraim (who had died in 373), works which will have been written in the distinctive Estrangela script which we can see in the surviving fifth-century manuscripts? Or were readers of his writings, as preserved in the original Syriac (many were also translated into Greek), all to be found east of the Euphrates? The probability is, as the scatter of Syriac inscriptions mentioned above suggests, that his works, in this Syriac form, did find readers also in Syria, and perhaps also in Palestine. Theodoret reveals similarly that he had found two hundred copies of Tatian’s *Diatessaron* in use in the churches of his see of Cyrrhus, until he brought this unorthodox practice to an end. It seems to be implied, but not unambiguously, that these were in the Syriac version, rather than the Greek.²⁸

That there were speakers of “the Syrian language” in these areas is beyond doubt, and a few examples will suffice. Theodoret’s account of the monks of Syria in his *Philotheos Historia* gives repeated testimony to this for Euphratensis and Syria, and also represents Abraames, bishop of Carrhae, but who came originally from the *chora* (city territory) of Cyrrhus, as unable to understand Greek at all.²⁹ For the same area, Jerome, reporting from his first trial of the monastic life, in the desert of Chalcis in the 370s, makes clear that when there he needed to use the *Syrus sermo*.³⁰ It is Jerome too, in his *Life of Hilarion*, who represents “the Syrian language” as being spoken both in Gaza and (but by persons described as Saracens) at Elusa,³¹ places in the province now called Palaestina Tertia; and it is he also who describes

how at the funeral of Paula in Aelia Capitolina, psalms were sung in Greek, Latin, and the *Syrus sermo*.³² His evidence tallies very well with that of the pilgrim Egeria or Aetheria, mentioned above, who records that in Aelia Capitolina some of the Christian congregation could speak both Greek and *siriste* (in Syrian), and some only the one or the other. The bishop, however, even if he could speak *siriste*, invariably used only Greek, while a presbyter interpreted his words *siriste*. The same procedure, she goes on, applied to any *Latini* who were present: in order that they should not be “saddened,” *fratres et sorores graecolatini* (“the brothers and sisters who spoke both Greek and Latin”) had the task of translating for them.³³ It is important to stress that there is no implication in any of the reports relating to Aelia Capitolina that the Christians there who spoke “the Syrian language” were converted Jews (any more than were those who spoke the same language in Gaza). On the contrary, we are seeing here slight but significant evidence for the Semitic language of at least a section of the gentile population of Palestine.

None of this evidence, however, suggests that we should conceive of “Syrians” in the Near East as having represented an *ethnos* in the strong sense of a self-conscious “nationality” transcending provincial boundaries. Nor, to sum up what is at this moment hardly more than a preliminary impression, should we see the major theological divisions of the period, the doctrine of the Trinity on the one hand and Arianism on the other in the fourth century, or rival conceptions of the divine or human nature, or natures, of Christ in the fifth, as either arising from or being marked by ethnic or linguistic divisions within the church.³⁴ Rather, the conceptual model provided by the liturgy at Aelia Capitolina, and in a different way by the gradual appearance in northern Syria of Syriac church inscriptions along with Greek ones, is surely correct. The rise of Syriac as a Christian language of culture, very significant as it was, took place within the framework of a predominantly Greek church, and was not (or was not yet) a challenge to it. It is at least very suggestive that the earliest inscriptions from this region which mark Christian churches or sacred sites, and which date to the middle of the fourth century, are all in Greek. This is true, for instance, of the tomb of Ioulianos “beside the boundary of the common *koimēterion* [dormitory] of the Christians,” erected at Umm-al Jimal in 344;³⁵ of the sanctuary of Saint Sergius established at Eitha in the Hauran in 354/5;³⁶ and of the building with a Christian inscription at Dar Qita in the limestone massif, of the 340s to 350s.³⁷ These three very early epigraphic reflections of the Constantinian

revolution do not come from urban locations, but all belong in the context of that rapid growth of villages and small towns which took place in this period in parallel with the process of Christianisation. Nisibis, by contrast, was a significant city, and was also the birthplace, and the original place of residence, of Ephraim, the greatest of Christian writers in Syriac. But, none the less, the earliest Christian inscription from there, recording the construction of the baptistery (which is still standing) by bishop Vologaeses in 359/60, is again in Greek.³⁸ Only a decade later, Nisibis was to be lost to the Persians. But the churches of the central and western part of Mesopotamia, and of Osrhoene, areas which remained Roman, continued to use Greek as their official language. It is perhaps no surprise that the emperor Julian would write in Greek to the people of Edessa.³⁹ But so also, in the fifth century, would Theodoret to the bishops of Constantina and Edessa.⁴⁰ So far, at any rate, Greek and Syriac literary culture could co-exist in such cities. The church historian Socrates, for instance, can relate how, in the first half of the fourth century, Eusebius, later an important Christian theologian, was educated in pagan Greek learning in Edessa before subsequently becoming bishop of Emesa (which was now in “Phoenice Libanensis”). A very learned recent study of Eusebius’ exegesis of Genesis, itself written in Greek, shows that he could and did refer to “the Syrian” text; Eusebius seems to have been the earliest theologian writing in Greek to do so.⁴¹

As regards the main body of the Christian church in the Near East, therefore, the conclusion seems to be clear, for the period up to A.D. 450 at least. The church mirrored the long-established (but also still developing) network of Greek cities in being essentially, in its structure and public functioning, a Greek-speaking organisation. But it differed from the Greek city in allowing a certain public role for the use of “the Syrian language.” This distinctive attitude is apparent in various contexts. For instance, Greek ecclesiastical writers also readily acknowledged the literary and spiritual quality of Christian writing in Syriac. The writing and copying of Syriac texts slowly spread westwards across the Euphrates, mirroring the slightly earlier spread of ecclesiastical inscriptions in Syriac, often put up in association with Greek ones. The liturgy, in Aelia Capitolina at least (we have no evidence for elsewhere), allowed for repetition in “the Syrian language” of the bishop’s words uttered in Greek. Theodoret, in particular, like Eusebius of Emesa (n. 41 above), also shows himself well aware of the existence of a Syriac version of the Bible.⁴² And finally, Theodoret’s *Philotheos Historia* shows a few cases where

monastic communities in northern Syria and Euphratensis divided, apparently amicably, into separate sections using Greek and “the Syrian language” respectively.⁴³ The evolution which was to lead to distinct Syriac-using churches had not yet occurred. But it is still very significant that Syriac, or “the Syrian language,” had acquired a place within the church which no Semitic language had ever enjoyed in any pagan city using Greek as an official language—with the sole and notable exception of Palmyra, whose bilingual epigraphy, in Greek and Palmyrene, had ended forever (as it seems) in the 270s.⁴⁴

If the surviving pagan cults of the Near East did not find any written expression in languages other than Greek, and if “the Syrian language” can be seen as only slowly acquiring a public role within the Greek-speaking church, that does not mean that major issues were not associated with the interplay of ethnicity, language, and religion. For a start, the roots of Christianity in Judaism, combined with the still very visible role of the Jews, primarily in Palestine but also outside it (for instance, in Antioch and Apamea), and also of Samaritans, led to a marked uncertainty about historical identity and legitimacy, to tensions over the possible attractions of Judaism or of the Hebrew Bible, and to a heightened awareness of real or imaginary fringe groups of a heretical disposition, some of whom allegedly inhabited a variety of specific locations, often very obscure, in the Near Eastern provinces. I will look briefly at some of these Christian representations of heretical “others,” before touching on the quite complex issue of the Jews and Samaritans of this period, when considered as distinctive ethnic religious and linguistic communities. I will then turn finally (and equally briefly) to the fringe group whose newly acquired identity was to prove the most significant of all, the Arabs, Saracens, or Ishmaelites.

One reason for treating religious groupings or communities, as understood by contemporary observers, as if they were indeed by their nature ethnic or linguistic units, is that this is just how they are portrayed in the most extensive survey of heresies written in this period, the *Panarion* of Epiphanius.⁴⁵ This is an exceptionally difficult work to assess, partly because a large part of its content is drawn from much earlier writers (for instance, Irenaeus and Hippolytus) without any regard for whether the heretical groupings represented still existed (or indeed ever really had existed). How far we can use Epiphanius’ testimony as real evidence for the variety of religious practice in his period seems to be still quite uncertain. What is

significant, however, for the understanding of contemporary representations is his conception of a vast range of illegitimate and threatening options on the fringes of Christianity, and above all the fact that he starts from what one might call a pseudo-ethnic classification of forms of incorrect belief. Heretical sects are put into five groupings: “Barbarismos,” “Scythismos,” “Hellenismos,” “Ioudaismos,” and “Samareitismos” (*Pan.* 1, *pr.* 3, 2). He does not pursue this classification systematically in the course of the work, and indeed hardly could have. But in what follows he does often represent particular heresies as either ethnic or local groups. Like other writers to whom we will come later, for instance, he sees the Saracens as an ethnic group who owed their identity as “Ishmaelites” to their descent from Hagar and Ishmael (1, 8; trans. Williams I, p. 18). He can also give quite a detailed account of the Samaritans, noting their use of the Hebrew Bible, but only of the five books of Moses, and their rejection of the doctrine of Resurrection, while accusing them of lapsing into a form of idolatry, based on their devotion to Mount Garizim (*Pan.* 1, 9, 9; trans. Williams I, pp. 29–34). But this section, which would deserve further study, is immediately followed by one on the Essenes, which is written as if they still existed.

Equally problematic is Epiphanius’ representation of a Judaeo-Christian sect, the “Naz $\bar{\epsilon}$ raioi,” allegedly to be found at a variety of locations in the Near East: in Beroea in Syria, in the Decapolis near Pella, and at a village called “K $\bar{\epsilon}$ khabe” or “Ch $\bar{\epsilon}$ chabe” in Batanea. They were distinguished by their recognition of Jesus as the Messiah, by their use of the Hebrew Bible, and by their observance of the Jewish Law, including circumcision and keeping the Sabbath (*Pan.* 1, 29; trans. Williams I, pp. 112–19). But precisely this case shows that, no matter how polemical Epiphanius’ intentions, and how regardless he was of the sources or dates of his information, we cannot always reject his constructions of heretical groups as fantasy. For instance, Jerome offers confirmation, based on the evidence of his period as a hermit near Chalcis in the 370s, that there was indeed a community of “Nazareni” in Beroea, who used the gospel of Matthew in its original Hebrew and had allowed him to copy it.⁴⁶ Moreover, documentary evidence, in the form of a remarkable Greek inscription of 318/19 from Deir Ali, south of Damascus, shows that Epiphanius’ notion, which recurs several times in his work,⁴⁷ of a heretical community as established in a remote village, could correspond to reality. This long-known inscription served to mark a building identified as the “Sunag $\bar{\theta}$ g $\bar{\epsilon}$ of the Marki $\bar{\theta}$ nistai of the village of Lebaba of the Lord and

Saviour Jesus Christ.”⁴⁸ These Marcionites were therefore very self-consciously a local *religious* community but were not differentiated as either an ethnic or a linguistic one. In that, they will have resembled the various heretical village congregations in the territory of Cyrrhus which Theodoret claims to have “brought back to the truth”: eight villages of Marcionites, one of Eunomians, and one of Arians.⁴⁹ These were real communities, which sometimes resisted the imposition of orthodoxy by force. But there is no implication that they were distinct in language or ethnic identity from their more orthodox neighbours.

It was thus perhaps most clearly at the (literal) borders of Jewish or Samaritan territory that there might arise sharp contrast, and conflicts between groups which might be (more or less) clearly differentiated, by ethnic identity, religion, and language. But before we touch on the relevant geographical area, it should be stressed that Christians could also feel the threat of the Jewish presence, as expressed in the form of communities living outside Palestine, possessing synagogues and observing the Law and the annual calendar of festivals, but apparently conducting their public, communal existence in Greek. This seems to be the implication of the well-known sermons against “Judaizing,” preached by John Chrysostom to the Christians of Antioch, and warning them against attending the local synagogues and observing Jewish festivals.⁵⁰ There is no implication that there was any linguistic barrier to such participation. Confirmation that this will have been so is provided by the contemporary mosaic inscriptions, of A.D. 391, from the synagogue at Apamea. They are all in Greek, and two of them specifically record that a section of mosaic in the church there had been paid for by Ilasios son of Eisakios, *archisunagōgos* of the Antiochenes.⁵¹ Naturally, neither the evidence of John Chrysostom nor that of this group of inscriptions can suffice to prove that the Hebrew Bible played no part in the communal observances of these Jewish communities in north Syrian cities, or indeed that the Jews resident in Antioch or Apamea did not speak “the Syrian language.” But it does strongly suggest that, in a way which shows some parallelism to the character of the still almost entirely Greek Christian Church of the area, these communities were not visibly divided by language from their wider environment.

It would not be surprising if the pattern of linguistic relationships were found to be different in the areas bordering on Palestine. This is at least suggested by the fact that the mosaic floor of the late-Roman synagogue, perhaps of the fifth century, discovered at Gerasa (Jerash)

revealed one inscription in Aramaic and another in Greek.⁵² In this area (the province of Arabia in Roman terms) it would (perhaps surprisingly) not be until the sixth century and after that a Semitic dialect, conventionally labelled “Christian Palestinian Aramaic,” came to be used by Christians both for inscriptions and for texts on perishable materials.⁵³ In Gerasa, therefore, the use of Aramaic for a Jewish synagogue inscription, at a time when all the church inscriptions of the region were still in Greek, must have functioned as a conscious marker of identity, ethnic, religious and linguistic.

When we come, finally, to Palestine, we have to remember that both Egeria/Aetheria and Jerome record that “the Syrian language” was used, but in a subordinate role, in the Christian liturgy of Aelia Capitolina.⁵⁴ The Greek cities of the Palestinian provinces, by contrast, seem to have used only Greek in their public life and in written expressions of their public identity. It can be taken as certain, however, that the population of the region included people of gentile descent, both pagans and Christians, who spoke “the Syrian language.” So also, we can be certain, did both Jews and Samaritans. Once again, therefore, it is the predominance of a sacred text in Hebrew, accompanied by the written use of Hebrew, and of what is always, in this context, called by moderns “Aramaic,” by both Jews and Samaritans, which must be seen as a conscious assertion of a separate identity.

It must be stressed again that neither in the case of the Jews nor in that of the Samaritans did this identity find any formal expression in the shape of political or administrative control of any area. The religious and communal life of both groups was conducted entirely within the framework of a network of Greek cities, nearly all of which were now also the seats of Christian bishops, belonging to a predominantly Greek-language church.

That is not to say, however, that there were no areas where the Jewish community had the upper hand, and where the church found it hard to gain a foothold. This situation is clearly mirrored in the story told by Epiphanius in his *Panarion*, of Joseph of Tiberias, a converted Jew who was given the rank of *comes* by Constantine, and who was commissioned to establish Christian churches in communities which had none, namely Tiberias itself, Sepphoris (now called Diocaesarea), Nazareth, and Capernaum. In the face of resistance, he managed finally to construct a small church in Tiberias, and later succeeded in building churches in Diocaesarea “and some other cities” (no details

are given).⁵⁵ The story is significant as a somewhat pale reflection of a Palestinian world in which not only Christians and Jews, but also pagans and Samaritans, lived in a complex symbiosis, in which contrasting communal, or ethnic, identities were expressed primarily through different religious practices. This symbiosis, or mutual conflict, was expressed also in the form of very conspicuously contrasting religious buildings: pagan temples (as in the story, mentioned above, of the wholesale destruction of those at Gaza early in the fifth century); Christian churches, now visible almost everywhere;⁵⁶ Jewish synagogues, now coming to be adorned with elaborate floor mosaics, sometimes containing extensive inscriptions; and Samaritan synagogues, identifiable above all by the use in their inscriptions of the distinctive Samaritan script.⁵⁷

The immensely complex social, religious, and linguistic history of late Roman Palestine remains to be told, and no attempt is made here to go beyond touching on a few points. What is clear above all is that the story cannot properly be written as simply a stage in Jewish history;⁵⁸ perhaps the most drastic change in the period is precisely the Christianisation of the landscape of the Holy Land, and the erection of Christian churches and monuments at sites associated not only with the New but also with the Old Testament.⁵⁹

In broad terms, the nature of Christian communal structures, under their bishops, is clear. It is much less certain (as mentioned earlier) how the self-governing Greek cities of these provinces now functioned, and how far they retained their pagan public cults, and their traditional calendars of festivals and of athletic and artistic competitions. Similarly, while it is clear that much of Jewish communal life centred on the synagogue, there are major historical questions about the actual authority exercised by the rabbis, the nature of Jewish internal communal jurisdiction, and the anomalous power of the patriarchs. The repeated appearance of the Jewish patriarchs in the imperial legal pronouncements of the late fourth century and the first half of the fifth, which are collected in the *Codex Theodosianus*, is clear evidence of a recognised public status, and of an authority extending in some respects beyond Palestine.⁶⁰ But this authority was anomalous precisely because it had no specific geographical expression. Even more problematic is the question of what, if any, collective organisation the Samaritans possessed, going beyond local synagogue congregations.⁶¹

In what sense did language serve as a marker of the distinctive

identities of these rival religious communities? For the still (in principle) pagan Greek cities, as we have seen, there is nothing to suggest that “the Syrian language” was allowed to play any part in their public life. There are no reports suggesting this, and to the best of my knowledge there are no published examples of pagan public inscriptions in a Semitic language from this period.⁶² By contrast, as we have seen, the church did already use “the Syrian language,” if in a subordinate role, in its liturgy. But Christian *writing* in Syriac was still, so far as we know, characteristic of the area east of the Euphrates, with some examples from Syria proper appearing in the first half of the fifth century. We cannot confidently attribute to the Palestinian provinces of this period either Christian theological writing, or the copying of manuscripts, or the widespread erection of inscriptions, in “the Syrian language.” It is significant, however, that the thirteen Greek inscriptions of the fifth century from the church excavated at Evron near Nahariya are accompanied by one Semitic-language inscription, in Christian Palestinian Aramaic script, perhaps of the first half of the century. If this pattern is indicative, Greek was still the predominant written language.⁶³ New evidence might change this picture at any time; but for the moment we should see the Christian church of Palestine as a Greek communal structure, in which “the Syrian language,” spoken, and then also written, played a modest, but accepted, part.

Inevitably, given the dearth of internal information (unless we were to base our conceptions on what is reported in medieval Samaritan chronicles), such questions can hardly even be posed for Samaritan culture and communal identity. Outside observers duly recorded, as we have seen, that the Samaritans recognised only the books of the Pentateuch, and Jerome notes their distinctive upright script, using *antiquae Hebraeorum litterae* (“Paleo-Hebrew” in modern terminology), in which the *tau*, the last letter of the Hebrew alphabet, had a form very like that of a cross. He also observes, here agreeing with rabbinic tradition, that until the time of Ezra the Jews also had used this script, which the Samaritans still retained.⁶⁴ How he knew this, and where he will have seen any Samaritan writing, remains a mystery. Nor is it clear whether any Samaritan theological or exegetical writing can be shown to have belonged to this period. It remains possible that a major Samaritan work, the *Memar Marqah*, “The Teaching of Marqah,” an extended reflection on the Pentateuch, may date to this time. If so, as it is written in Aramaic, it would supply conclusive evidence for the use of a dialect of Aramaic, written in their

distinctive script, by the Samaritan community.⁶⁵ Jerome betrays no knowledge of a Samaritan literature, but if he did ever visit a Samaritan synagogue, he will indeed have been able to see their distinctive script in its monumental form. The known cases are few, but just sufficient for our purposes. There are in fact two examples of Samaritan mosaic inscriptions from this period, at Tel Qasile (Ramat Aviv) and at Sha'albim, both fairly brief.⁶⁶ It is very significant that both are bilingual, in Hebrew (in Samaritan script) and Greek. That immediately raises the question, which applies with even more force to the Jewish community of Palestine, of what the everyday language of the Samaritans really was: presumably a particular variety of Aramaic, or in other words what a Graeco-Roman observer, had there been any, would have called "the Syrian language"? Or perhaps they will have used just the same variety as might (as Theodoret seems to imply, text to n. 23 above) have been spoken by any of the "Palaistinoi," whether gentile, Samaritan, or Jewish? Or was their everyday language in fact Greek?

The idea that in reality all the conflicting religious or ethnic communities of Palestine might have used both a version of "the Syrian language" and Greek, but in different ways, has a lot to commend it. The Jews and Samaritans were, of course, distinctive in basing their identity on a sacred text in Hebrew, the whole Bible in the one case and only the Pentateuch in the other. In the Jewish case a more recent work composed in Hebrew was also of central importance, namely the Mishnah, apparently compiled in the early third century, and accompanied by a mass of further writing in Hebrew, the *Tosefta* ("addition"). We can be certain of the centrality of the Mishnah, since both the "Palestinian" and the "Babylonian" Talmuds are in effect commentaries on it. Both of them, however, as preserved, are written in dialects of Aramaic.⁶⁷ We can therefore presume a knowledge of Biblical Hebrew, and a capacity on the part of at least some people to read and understand Mishnaic Hebrew. The vast mass of material, with many Greek loan-words, represented by the "Palestinian" Talmud, a composition belonging to this broad period, strongly suggests that the Jewish version of "the Syrian language" was at least a language of common use in Palestine, without proving whether it was different from the Samaritan or Christian versions, or whether or not either Hebrew on the one hand or Greek on the other (as opposed to individual Greek loan-words) were also current in daily life among Jews.

The place-names reflected in the surviving sections of the “Palestinian” Talmud give a clear indication of the broad geographical zone from which it emerged: Galilee with Tiberias and Sepphoris, and also Caesarea on the coast.⁶⁸ The date of the work is much more uncertain, and might be as early as the mid-fourth century, or considerably later. The truly historical study of this Talmud has hardly begun.

If it were ever to begin, the starting point ought to be the now quite extensive, and extremely striking, series of Jewish synagogue mosaics of this period, with inscriptions in Hebrew and Aramaic (both written in the “square” Hebrew script), and in Greek. But the fact that Greek might have played a part even in the context of “rabbinic” Judaism is strongly suggested also by the evidence of an important contemporary observer, Jerome. As a serious student of Hebrew and of the Scriptures, he ought to have been of even greater importance for the study of “rabbinic” Judaism than he is, but for an accident of history. His monastic settlement was at Bethlehem in the territory of Aelia Capitolina, and hence lay precisely in that zone from which Jews had been driven out by Hadrian.⁶⁹ Although he did have some contacts with Jewish scholars, did study the Bible with their aid, and even toured Palestinian religious sites with one of them, he was not normally resident in the heartland of late Roman “rabbinic” Judaism, which was Galilee.⁷⁰

None the less, it is extremely relevant for our purposes that he is able to deploy what was evidently an established Greek vocabulary to describe contemporary Jewish religious teaching. Writing of course in Latin, he says:

Among the ignorant and the common herd Jewish interpretations present an appearance of reasonableness and human wisdom, whence their learned men are called *sophoi*, that is “wise men.” And if on occasion, on fixed days, they expound their *traditiones* [doctrines], they are accustomed to say to their pupils *oi sophoi deuterousi* that is “the wise men teach *traditiones*.”⁷¹

Just before this, Jerome has given as examples the names of three reputed Jewish teachers, and the rules which they taught: “Barachibas and Symeon and Helles, our *magistri*, have transmitted to us the rule that we may walk [only] two thousand feet on the Sabbath.”

The context of this observation is therefore surely Palestinian, and we should take seriously the possibility which Jerome’s remark opens up, that for Jews Greek could have been not merely a secular

language for everyday use, but might have had a place in the context of religious teaching. If we were disposed to dismiss this idea, the presence of Greek in the mosaic inscriptions of Palestinian synagogues would show beyond all doubt that it deserves to be considered.

It cannot be stressed too strongly that, by comparison with our evidence for the “Palestinian” Talmud, which consists of texts of uncertain date, based on medieval manuscripts which have only lately become the subject of modern critical editions, the synagogue mosaics of late Roman Palestine represent by far the most direct and important means of access to the religious life, language patterns, script, grammar, conceptions, and artistic conventions of “rabbinic” Judaism. All that will be attempted here is to sketch a few salient features. Even in this case, however, the treatment of many of these essential items of evidence remains profoundly unsatisfactory. In various instances the relevant archaeological reports have never been published, and in the case of some of the mosaic inscriptions, though bare transcriptions have been published, there have been no full studies of vocabulary, orthography or conceptual content.

The first important feature, which is evident on even the most cursory inspection, is the tendency of the synagogue mosaics to incorporate inscribed texts in two or three different languages. Thus the well-known texts of (probably) the earlier fourth century from the mosaic floor of the synagogue at Hammath Tiberias are in Hebrew, Aramaic, and Greek. Paradoxically, it is Hebrew which is used to identify the signs of the zodiac, while a blessing is given in Aramaic, and the names of benefactors appear (as at Sepphoris; see below) in Greek. It is in this context that we meet someone described as “a *threptos* (foster child) of the most distinguished *Patriarchai*.”⁷² By contrast, the vast mosaic floor of the synagogue at En-Geddi, itself never fully published, incorporates two extensive texts in Hebrew, and three in Aramaic, of which the last seems not to have been published to this very day. Those texts which have been (very summarily) published offer a strange compilation of elements: firstly, in Hebrew, a list of biblical ancestors, then the signs of the zodiac, then the Hebrew names of the months, and finally two brief lists of biblical figures. Then, in Aramaic, come the names of benefactors, and a list of offences which will incur divine punishment, followed by a two-line blessing, and finally an account, not yet published, of the repair of the synagogue.⁷³

Even more striking is the long inscription, also never fully edited,

from the mosaic floor of a synagogue at Rehov near Beth Shean (Scythopolis). As the excavations, conducted in 1974–80, have also never been the subject of a final report, the archaeological dating remains uncertain, but the later fifth century is suggested.⁷⁴ The inscription, written in Hebrew, comprises 29 lines and 365 words, and is thus by some margin the longest known documentary text from an ancient synagogue. What is more, this text incorporates versions of a passage from the *Tosefta* and one from *Sifre Deuteronomy*, along with two from the “Palestinian” Talmud (where they appear in Aramaic). The passages deal with the rules for tithing and for the Sabbatical year. All that need be remarked here is that the text, filled with contemporary place-names, some of Greek origin, and written in Hebrew, constitutes the decisive proof that in this period Hebrew was not simply a dead language, long since supplanted, as regards active composition, by Aramaic. In the contemporary context, it is clear, Jewish religious prescriptions could be current in both an Aramaic and a Hebrew version. This document also illustrates as concretely as anything could the maintenance of the rules of a religious community in a landscape marked by place-names which reflected the long-term effects of colonialism and the dominance of another language.

Even this text is rivalled in significance by the newly discovered synagogue-mosaic from Sepphoris, a place whose archaeological record strikingly demonstrates the co-existence of religious communities in late Roman Galilee.⁷⁵ The new mosaic, which is thought to date from the early fifth century, shows a succession of scenes from biblical history, with some written identifications of individuals and objects supplied in Hebrew; it shows the signs of the zodiac, also (once again) labelled in Hebrew; and it incorporates Greek inscriptions recording the names of dedicators or donors, and a fragmentary inscription in Aramaic.⁷⁶

The mosaic synagogue-inscriptions of late Roman Palestine would deserve a full scholarly edition on their own, as uniquely vivid testimony to the values of an ethnic and religious community—but values which could be expressed in three languages, whose co-existence reflected the complex history of the region. If Hebrew was what above all distinguished the Jewish community, it was also shared with the Samaritans. But Greek was a Jewish language too, just as it was also a pagan, a Christian, and indeed a Samaritan one. All four religious communities, it seems clear, also used “the Syrian language.”

Finally, in the fringe of the settled zone, there were the Arabs, Saracens, or Ishmaelites. They could be found anywhere, from Osrhoene to Syria, to Palestine, the Negev, and Sinai. We owe to Jerome a particularly vivid picture of the world of unsettled peoples which began not far south of Bethlehem, in the area of Tekoa, and stretched to Africa and central Asia.⁷⁷ I have explored elsewhere the significance of the fact that, following Josephus, Christian writers identified “Arabs” as the descendants of Hagar and Ishmael, and hence came both to give them an ethnic identity—of a purely legendary character—as “Ishmaelites,” and as a consequence to see them as having a particular claim on the inheritance of Abraham, which had been lost in the intervening centuries.⁷⁸

Contemporary conceptions and representations of Arabs as a distinctive group (or as a set of related groups), and as a strongly felt presence on the fringes of the settled zones, would be well worth exploring in detail, and would have to take into account allusions to them in Jewish and Syriac writings. But that is too complex and extensive a topic to embark on here. In this context we may, however, think briefly of the aspects highlighted in this paper, namely ethnicity, language, and religion. Firstly, as we have seen, mythical history taken from the Bible was deployed, by Christians and apparently also by Jews, to father on the “Arabs” or “Saracens” a common ethnic, and potentially religious, identity which cannot possibly have had any genealogical justification. As regards religion, while this attributed “ethnicity,” which was unthinkable except by readers of the Bible, offered the Arabs a privileged position as potential converts to either Christianity or Judaism, they were acknowledged, in their present state, to be devotees of their own variety of paganism. Their potential conversion from pagan customs and dietary habits to Christianity is well represented in a passage, possibly not original, found in Theodoret’s *Philotheos Historia*, in which large groups of “Ishmaelites” are described as arriving at Symeon Stylites’ pillar, renouncing their idols and the rites of Aphrodite, and abandoning the eating of wild asses and camels.⁷⁹

Seen as communities, or as social organisations, the Saracens were clearly distinguished from all the other groups who came within the purview of contemporary writers, firstly in having individual political and military leaders, either kings, apparently hereditary (or in the anomalous case of Mavia, a queen), or “tribal leaders” (*phylarchoi*). We can even catch a glimpse of the self-representation of an Arab king

in the famous inscription of A.D. 328, in Arabic but written in Nabataean script, found at en-Nemara, east of the Hauran.⁸⁰ For a comparable example of self-representation by a *phylarchos*, we have to wait until after the period concerned here, when we find the bilingual inscription, in Greek and Arabic, which was put up in A.D. 568 at Harran in the Lejja: “Asraelos son of Talemōs, *phylarch[os]*, founded the martyr[ion] of saint Ioannes” (as in the Greek version).⁸¹ The immense significance of this inscription cannot be explored here: as documentary evidence of a *phylarchos*; as a perfect example of the way in which the Arabs were being drawn into the orbit of the (still predominantly Greek) Christian church; and as a quite early example of Arabic writing. It also, of course, happens to be almost exactly contemporary with the birth of Muhammad.

The Saracen or Arab groups were also distinctive in that they were militarised. Theodoret in fact continues, in his *Life of Symeon*, to recount a violent dispute between two “Ishmaelite” tribes (*phylai*) as to which of their *phylarchoi* should receive a blessing from Symeon, and further describes another *phyle*, this time identified as “of Sarak ⲉ noi,” as established at the fort (*phrourion*) of Callinicum, on the Euphrates.⁸² But the military role of Saracen *foederati* (allies) on the eastern frontier of the fourth century and after is well known and has been sufficiently analysed by others.⁸³

Although Theodoret makes frequent references, in the *Philotheos Historia* and elsewhere, to “Saracens” or “Ishmaelites” as belonging to an ethnic group clearly distinct from Greeks or *Syroi*, so far as I can find he nowhere refers to them as having a distinctive language, or still less a literature or a script. It is also striking that Jerome, when he describes how Hilarion encountered *Saraceni* near Elusa, says that they addressed him in “the Syrian language.”⁸⁴ In fact, however, in Jerome and other writers, we do find some traces of awareness of Arabic as a distinct language. As is well known, Epiphanius in his *Panarion*, written in the later 370s, claims that in the pagan temple at Petra they worshipped a virgin goddess: “and in the *Arabik* ⲉ *dialektos* [Arabic language] they hymn the maiden, calling her *Arabisti* [in Arabic] ‘chaamou,’ that is ‘girl’ or ‘virgin.’”⁸⁵ The report remains entirely isolated, and we can be certain, from the papyri mentioned above (n. 1), that even in the sixth century the public language of Petra was still Greek. But equally this reference cannot be dismissed, and Epiphanius’ awareness of Arabic as a language is significant.

At about the same time Jerome was experimenting with life as a

hermit in the desert of Chalcis in northern Syria, and he described himself as dwelling in that part of the desert which, while next to Syria, was in contact with the “Sarraceni”; or alternatively as being in the part “which marks out a vast marginal zone between the Syri and the Sarraceni.” But it is either in “the Syrian language” or in Greek that he jokingly suggests in the letter that he might be found preaching heresy.⁸⁶ So far as I can find, he makes only one reference, much later, to *Arabicus sermo*, when he says in the preface of his *Commentary on Job* that he has worked out the sense of some difficult passages “from the *Hebraeus* and the *Arabicus sermo*, and sometimes from the *Syrus*.”⁸⁷ How and where he would have encountered *Arabicus sermo* is quite obscure; we could however imagine that he might have heard something of the spoken Arabic of the “Saraceni” whose terrain, as we have seen, he envisaged as beginning just south of Bethlehem (text to n. 67 above). The reference can surely not be to written literary texts in Arabic; for, firstly, we have no reason to think that any such yet existed; and, secondly, even if they had existed, and had been written in Nabataean script, like the en-Nemara inscription mentioned above, it is still very unlikely that Jerome could have read them. In any case, our only scraps of evidence for writing in the Arabic script and language, dating from before the sixth century, are a couple of small graffiti from the margins of the settled zone.⁸⁸ Sozomenus, however, in the famous passage in which he relates the rising under Mavia, the conversion of her people to Christianity, and the descent of the *Sarak ʿ noi* from Ishmael, reports that the Saracen victories at that moment (the late 370s) were still remembered and “among the *Sarak ʿ noi* are [preserved] in ʾ dai [in songs].”⁸⁹ The passage thus shows a genuine awareness of the existence of (at least) an oral literature among the *Sarak ʿ noi*, even if it carries no implication that these songs could have been written down. Strictly speaking, in any case, though the passage might reasonably be held to imply an awareness of Arabic as a language, it does not name it specifically.

In the century and a quarter between the Council of Nicaea of A.D. 325 and that of Chalcedon of A.D. 451, the Near Eastern provinces of the Roman Empire can still, from one point of view, be seen as a zone of Greek culture, but a culture in which Christianity was ever more dominant. Within that overall framework, however, there also persisted an unbroken tradition of communal self-expression in Semitic languages by the two related “peoples of the Book,” the Jews and the Samaritans, while a capacity for self-expression, within

Christianity, by users of Syriac was rapidly developing and, in written form, was also beginning to spread westwards across the Euphrates, to an area where “the Syrian language” was already spoken by some. But no Christian communities yet had Syriac as their primary public language, and no separate Syriac-using churches had yet emerged. Nor are there clear indications that Christian theologians, whether writing in Greek or Syriac, explicitly associated heretical doctrines with the language used by the authors concerned. Ephraim wrote against a variety of heresies, including those associated with the names of Bardesanes, Marcion, Valentinus, and Mani, without relating their doctrines to a particular “ethnicity,” or language. Equally, Theodoret, in discussing the doctrines of Nestorius, who came from the small Greek city of Germanikaia in Euphratensis, says nothing to identify him as a “Syrian.”⁹⁰

There must surely also have been pagans for whom dialects of “the Syrian language” would have been the natural means of communal self-expression. But no such self-expression is perceptible to us. To the limited degree that it is still accessible to us, the pagan world of the Near East in this period was Greek-speaking. Instead, we can at least see the early beginnings of the process by which the “Ishmaelites” of the desert were to take on the identity which both Jews and Christians came to attribute to them, and which would lead two centuries later to the emergence of yet another “people of the Book,” using a Semitic language and claiming an identity rooted in the Bible.

Notes

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This paper derives from a lecture which I gave at the seminar on “Identities in the Eastern Mediterranean in Antiquity” held at the Humanities Research Centre at the Australian National University in Canberra, on 10–12 November 1997. I am extremely grateful to Graeme Clarke, and also to Leena Messina, for the organization of the seminar, which formed the focal point of a profoundly rewarding and enjoyable stay at the Centre. It also owes something to a paper entitled “Jerome and the Near East,” given at the Late Antiquity Research Seminar at Macquarie University on 14 November 1997, and at the University of Melbourne on 28 November 1997. These visits also were extremely rewarding. For very helpful comments on the text I owe many thanks to Graeme Clarke as editor, to Peter Brown, and to Sebastian Brock.

1. For the documentary papyri from Nessana, see C. J. Kraemer, *The Excavations at Nessana (Auja Hafir, Palestine) III: Non-literary Papyri* (1958), also listed in H. M. Cotton, W. E. H. Cockle, and F. G. B. Millar, "The Papyrology of the Roman Near East: A Survey," *JRS* 85 (1995): 214, nos. 427–609; for the fullest preliminary report of the Petra papyri of the sixth century, see L. Koenen, "The Carbonised Archive from Petra," *JRA* 9 (1996): 177. See now *The Petra Papyri I*, ed. J. Frösén, A. Arjava, and M. Lentinen (2002).

2. See W. H. P. Hatch, *An Album of Dated Syriac Manuscripts* (1946), no. I. See further text to nn. 20–22 below with notes.

3. The known pre-Islamic Arabic inscriptions are listed in a paper which discusses in more detail some aspects of the topic treated here, F. Millar, "Il ruolo delle lingue semitiche nel vicino oriente tardo-romano," *Mediterraneo Antico* 1.1 (1998): 71. For the inscription of A.D. 568, see also n. 81 below.

4. To my knowledge, the topic of the awareness of being citizens of the Roman Empire on the part of the inhabitants of the Near Eastern provinces in the late Empire has not been discussed in depth. For a starting point, G. Dagron, "Aux origines de la civilisation byzantine: langue de culture et langue d'État," *Revue Historique* 241 (1969): 23, reprinted in his *La romanité chrétienne en Orient: Héritages et mutations* (1984), no. I. From a different perspective, note J. Geiger, "How Much Latin in Greek Palestine?," in Hannah Rosén, ed., *Aspects of Latin* (1996), 39.

5. Note for instance the description of Berytus in the fourth-century *Expositio totius mundi et gentium*, ed. J. Rougé (1966), 25, as "containing lecture-halls for the teaching of the law."

6. Jerome, *Ep.* 108, 8.

7. See F. Millar, "The Roman *Coloniae* of the Near East: A Study of Cultural Relations," in H. Solin and M. Kajava, eds., *Roman Eastern Policy and Other Studies in Roman History* (1990), 33–34 (= chapter 8 of the present volume).

8. For Aelia Capitolina as a *colonia*, see Millar (n. 7), 28–30. For Jerome's allusions to the previous history of the city, see, for example, *Com. in Daniele* 3, 9, 24 (CCL LXXVA, 865–89); *Com. in Ieremiam* 4, 15 (CCL LXXIV, 186).

9. Jerome, *Ep.* 58, 3–4.

10. Text to nn. 27–29 and text to nn. 52–54 below.

11. Note, however, the isolated reference in the *Acta* of the Council

of Chalcedon to Tyre as a *kol ̐ nia* (Millar [n. 7], on 37), and the striking allusions in the Petra Papyri to the city as an “Augustokoloneia” and as “mother of colonies” (*P. Petra* 1, lines 4–5, cited above in chapter 8 of the present volume in text to n. 194).

12. J. H. W. G. Liebeschuetz, *Antioch: City and Imperial Administration in the Late Roman Empire* (1972). But see, for instance, C. Lepelley, ed., *La fin de la cité antique* (1996); A. Walmsley, “Byzantine Palestine and Arabia: Urban Prosperity in Late Antiquity,” in N. Christie and S. T. Loseby, eds., *Towns in Transition: Urban Revolution in Late Antiquity and the Early Middle Ages* (1996), 126.

13. Theodoret, *Hist. Rel.* 5, 1.

14. Julian, *Ep.* 98 (Bidez/Cumont).

15. See esp. H. J. W. Drijvers, “The Persistence of Pagan Cults and Practices in Christian Syria,” in N. Garsoian, ed., *East of Byzantium: Syria and Byzantium in the Formative Period* (1982), 35, and F. R. Trombley, *Hellenic Religion and Christianization, c. 370–529 I–II* (1993).

16. G. Fowden, “Bishops and Temples in the Eastern Roman Empire A.D. 320–435,” *J. Theol. St.* 29 (1978): 53.

17. H. Grégoire and M.-A. Kugener, eds., *Marc le Diacre, vie de Porphyre, évêque de Gaza* (1930).

18. For an illuminating essay on this slow process of separation, see M. Lichtheim, “Autonomy versus Unity in the Christian East,” in L. White, ed., *The Transformation of the Roman World: Gibbon’s Problem after Two Centuries* (1996), 119. For a survey of the evidence for the Syriac-speaking churches, see M. Albert, *Christianismes Orientaux. Introduction à l’étude des langues et des littératures* (1993), 297ff.

19. F. Millar (n. 3).

20. The most systematic available survey of Christian writing in Syriac is still I. Ortiz de Urbina, *Patrologia Syriaca*² (1965), which records no writers in Syriac whose place of origin lay west of the Euphrates until (91ff.) Balai or Balaeus, a Syriac poet of the first half of the fifth century who came from near Beroea. For this point, note now also S. P. Brock, “Syriac Culture, 337–425,” in A. Cameron and P. Garnsey, eds., *Cambridge Ancient History XIII²: The Late Empire, A.D. 337–425* (1998), 708–19, on 715.

21. Hatch (n. 2), no. VIII. For this extremely important topic, see now also M. M. Mango, “Patrons and Scribes Indicated in Syriac Manuscripts, 411 to 800 A.D.,” *Jahrb. d. Öst. Byz. Ges.* 32 (1982): 3; and “The Production of Syriac Manuscripts, 400–700 A.D.,” in G.

Cavallo, G. de Gregorio, and M. Maniaci, eds., *Scritture, libri e testi nelle aree provinciali di Bisanzio I* (1991), 161.

22. *IGLS II*, nos. 312–15 (Zebed); no. 555 (Babisqa, in the limestone massif).

23. *Quaestiones in Iudices* 19 (*PG LXXX*, cols. 507–9). My attention was drawn to this text by the excellent article by S. P. Brock, “Greek and Syriac in Late Antique Syria,” in A. K. Bowman and G. Woolf, eds., *Literacy and Power in the Ancient World* (1994), 149.

24. Listed with references in Cotton, Cockle, and Millar (n. 1), nos. 157, 159, and 160. See now H. J. W. Drijvers and J. F. Healey, *The Old-Syriac Inscriptions of Edessa and Osrhoene* (1999), app. I, P1, P2, and P3.

25. For the Chronicle, see L. Hallier, *Texte und Untersuchungen IX* (1892), and F. Millar, *The Roman Near East, 31 B.C.–A.D. 337* (1993), 464–67 and app. C. The text is also reprinted in F. Rosenthal, ed., *An Aramaic Handbook II.1* (1967), 23–25. English translation by J. B. Segal, *Edessa: “The Blessed City”* (1970), 24–25.

26. Millar (n. 25), 486–87 and app. C.

27. Theodoret, *Ep.* 146 (*Correspondance III*, ed. Y. Azéma, 190).

28. Theodoret, *Haereticarum fabularum compendium I*, 20 (*PG LXXXIII*, col. 372).

29. E.g., Theodoret, *Hist. Rel.* 10, 9; 13, 2; 7; 14, 2; 21, 15. Note esp. 17, 9 (Abraames).

30. Jerome, *Ep.* 17, 2.

31. Jerome, *Vita Hilarionis* 13, 6–7; 14, 4; 16, 4 (*Saraceni* at Elusa).

32. Jerome, *Ep.* 108, 29.

33. *Pereg.* 47, 3–4, ed. P. Maraval, “Egérie, Journal de Voyage,” *SC* 296 (1982).

34. See F. Millar, “Paul of Samosata, Zenobia and Aurelian: The Church, Local Culture and Political Allegiance in Third-Century Syria,” *JRS* 61 (1971): 1–17 (= chapter 10 of the present volume), where the accepted interpretation of Paul’s career, along ethnic lines, is rejected.

35. *PAES III. Greek and Latin Inscriptions in Syria. A.3. Southern Syria* (1913), no. 262.

36. Le Bas-Waddington, *Inscriptions grecques et latines* (1870), no. 2124.

37. *IGLS II*, no. 542.

38. F. Sarre and E. Herzfeld, *Arch ägyptologische Reise im Euphrat-und Tigris-Gebiet* II (1920), 337. For a photograph, see pl. CXXXVIII in vol. IV. Republished by J. Jarry in *Annales Islamologiques* 10 (1972): 207, on 242–43.
39. Julian, *Ep.* 115 (Bidez/Cumont).
40. Theodoret, *Ep.* 52 (to Ibas, bishop of Edessa); 53 (to Sophronius, bishop of Constantina), in *Correspondance* II, ed. Y. Azéma (1964), 128–31.
41. Socrates, *HE* 2, 9. See R. Ter Haar Romeny, *A Syrian in Greek Dress: The Use of Greek, Hebrew and Syriac Biblical Texts in Eusebius of Emesa's Commentary on Genesis* (Traditio Exegetica Graeca 6, 1997).
42. E.g., *Quaestiones in librum primum Regnorum, praef.* (PG LXXX, col. 530: “The first book of Kings is called Samuel both among the Hebrews and the Syrians.” Cf. *Com. in Ezechielem* 27, 8 (PG LXXXI, col. 1077).
43. Theodoret, *Hist. Rel.* 4, 13 (the monasteries at Teleda): “some chanting the poet in Greek, some in the local language.” Cf. 5, 5 and 6 (the monastery of Pouplios near Zeugma): “Theogenos inherited the leadership of (those of) the Greek tongue, and Aphthonius of the Syrian.”
44. See Millar (n. 7), text to nn. 158–71 of chapter 8 of the present volume; cf. also “Latin in the Epigraphy of the Roman Near East,” in H. Solin, O. Salomies, and U.-M. Liertz, eds., *Acta Colloquii Epigraphici Latini. Helsinki 3–6 Sept. 1991* (1995) = chapter 9 of the present volume, text from n. 17 onwards.
45. I do not pretend to understand how to read this very strange text. For a translation with helpful introduction, see F. Williams, *The Panarion of Epiphanius of Salamis* I–II (1987–94).
46. Jerome, *der vir. ill.* 3; see *Ep.* 112, 13, and Theodoret, *Haer. fab. comp.* 2, 2 (PG LXXXIII, col. 389).
47. See, e.g., Epiphanius, *Pan.* 1, 40, on the teacher of the heresy of the “Archontikoi,” who lived in a village called Kapherbaricha on the borders of the territory of Jerusalem and Eleutheropolis. Trans. Williams I, p. 262.
48. *OGIS*, no. 608.
49. Theodoret, *Ep.* 81, *Correspondance* II, ed. Y. Azéma (1964), 196.
50. See R. L. Wilken, *John Chrysostom and the Jews* (1983).
51. *IGLS* IV, nos. 1319–37, esp. 1319–20.

52. J.-B. Frey, *Corpus Inscriptionum Judaicarum II* (1952), nos. 866–67.

53. See, e.g., A. Desreumaux, “La naissance d’une nouvelle écriture araméenne byzantine,” *Semitica* 37 (1987): 95.

54. See text to nn. 8–10 and 32.

55. Epiphanius, *Panarion* 1, 30, 4–12.

56. See A. Ovadiah, *Corpus of the Byzantine Churches of the Holy Land* (1970); Y. Tsafrir, ed., *Ancient Churches Revealed* (1993).

57. See F. Hüttenmeister and G. Reeg, *Die antiken Synagogen in Israel I. Die jüdischen Synagogen, Lehrhäuser und Gerichtshöfe II, 533f.: Die samaritanischen Synagogen* (1977); L. I. Levine, ed., *Ancient Synagogues Revealed* (1981); *The Synagogue in Late Antiquity* (1987).

58. Thus, for instance, M. Avi-Yonah, *The Jews under Roman and Byzantine Rule: A Political History of Palestine from the Bar Kochba War to the Arab Conquest* (1984) (a highly revealing title). Compare, however, G. Stemberger, *Jüden und Christen im Heiligen Land: Palästina unter Konstantin und Theodosius* (1987).

59. This process is visible immediately, for instance, in Jerome’s translation and updating of Eusebius’ *Onomasticon*, or in his *Ep.* 108, with its account of Paula’s journey through Palestine in 385/6.

60. For the evidence, see the excellent collection and discussion of the relevant legal texts by A. Linder, *The Jews in Roman Imperial Legislation* (1987).

61. For a useful collection of the various types of evidence relating to the Samaritans, see A. D. Crown, ed., *The Samaritans* (1989).

62. I am very grateful to Sebastian Brock, however, for the information that there are as yet unpublished examples of Syriac inscriptions on pagan mosaics, apparently from private houses, from Israel, which may date to the fourth or fifth century.

63. See V. Tzaferis, “The Greek Inscriptions from the Early Christian Church at Evron,” *Eretz Israel* 19 (1987): 36*, and A. Jacques, “A Palestinian-Syriac Inscription in the Mosaic Pavement at Evron,” 54*.

64. Jerome, *Com. in Ezechielem* 3, 9, 4/6 (CCL LXXV, 106); *Praef. in Libros Samuel et Malachim* (PL XXVIII, cols. 547–49).

65. See *Memar Marqah: The Teaching of Marqah*, ed. and trans. J. Macdonald, I–II (1963).

66. See R. Ovadiah and A. Ovadiah, *Hellenistic, Roman and Early*

Byzantine Mosaic Pavements in Israel (1987), nos. 203 and 213.

67. For a basic guide, H. L. Strack and G. Stemberger, *Introduction to the Talmud and Midrash* (1991).

68. It would be an understatement to say that the geographical, historical, social, and indeed temporal context in which this Talmud was composed has yet to be studied properly. For some indications, especially useful as regards topography, see L. I. Levine, *The Rabbinic Class of Roman Palestine in Late Antiquity* (1989), which is focused on the third century. See also G. Reeg, *Die Ortsnamen Israels nach der rabbinischen Literatur* (1989), and L. I. Levine, ed., *The Galilee in Late Antiquity* (1992).

69. Jerome's life and work is very efficiently surveyed by J. N. D. Kelly, *Jerome: His Life, Writings and Controversies* (1975).

70. See, e.g., *Com. in Ecclesiasten* 4:13/16 (CCL LXXII, 288); *Praef. in com. in Iob.* (PL XXVIII, col. 1081); *Praef. in com. in Paralipomena* (PL XXIX, col. 401), on visiting sacred sites with *eruditissimi Hebraeorum* (the most learned among the Hebrews), and studying the text with a Jewish *legis doctor* (teacher of law) from Tiberias.

71. *Ep.* 121 (the *Liber Quaestionum*), 10/21–22.

72. See M. Dothan, *Hammath Tiberias: Early Synagogues and the Hellenistic and Roman Remains* (1983), 53ff. ("The Inscriptions"); Ovadiah and Ovadiah (n. 66), no. 87.

73. See Ovadiah and Ovadiah (n. 66), no. 73, and E. Stern et al., eds., *New Encyclopedia of Archaeological Excavations in the Holy Land II* (1993), 405ff.

74. See Ovadiah and Ovadiah (n. 66), nos. 206–8, and Stern et al. (n. 73), IV (1993), 1272ff.

75. For Sepphoris in the light of recent excavations, see, e.g., Stern (n. 73), IV, 1324ff.; and cf. R. M. Nagy, C. L. Meyers, E. M. Meyers, and Z. Weiss, eds., *Sepphoris in Galilee: Crosscurrents of Culture* (1996).

76. Z. Weiss and E. Netzer, *Promise and Redemption: A Synagogue Mosaic from Sepphoris* (1996).

77. Jerome, *Ep.* 129, 4.

78. F. Millar, "Hagar, Ishmael, Josephus and the Origins of Islam," *Journ. Jew. Stud.* 44 (1993): 23 (= chapter 14 of the present volume). The key text is Sozomenus, *HE* 6, 38.

79. Theodoret, *Hist. Rel.* 26, 13.

80. See J. Cantineau, *Le nabatéen* II (1932), 49; Millar (n. 25), 434–

81. R. Dussaud and F. Macler, *Mission dans les régions désertiques de la Syrie moyenne* (1903), 324.

82. *Hist. Rel.* 26, 15–16.

83. M. Sartre, *Trois études sur l'Arabie romain* (1982); I. Shahîd, *Byzantium and the Arabs in the Fifth Century* (1989); A. G. Grouchevoy, "Trois 'niveaux' de phylarques. Étude terminologique sur les relations de Rome et de Byzance avec les Arabes avant l'Islam," *Syria* 72 (1995): 105.

84. Jerome, *Vita Hilarionis* 16, 4: "Therefore having heard that St. Hilarion was passing by, since he had frequently cured many Saracens who were possessed by a demon, they came before him in crowds with their wives and children, bending their heads and shouting in Syrian 'Barech' which means 'bless [us?].'"

85. *Panarion* 51, 22; trans. Williams II, p. 51.

86. Jerome, *Ep.* 5, 1; 7, 1. *Ep.* 17, 2; see text to n. 30 above.

87. Jerome, *Praef. in com. in Iob.* (PL XXVIII, col. 1080).

88. See, e.g., B. Gruendler, *The Development of the Arabic Scripts from the Nabataean Era to the First Islamic Century according to Dated Texts* (1993), 13ff. Millar (n. 3 above).

89. Sozomenus, *HE* 6, 38, 4.

90. Theodoret, *Haereticarum fabularum compendium* 4, 12 (PG LXXXIII, cols. 432–36).

CHAPTER SIXTEEN

Dura-Europos under Parthian Rule



No excuse is needed for returning again to the extraordinary series of discoveries made at Dura-Europos in the 1920s and 1930s. Whatever reservations we may have as regards the presuppositions of those who undertook these investigations, about their methods and procedures, and about the still incomplete publication of their results, the work done there still represents one of the most wonderful and creative chapters in the whole history of archaeology.

It is perhaps worth briefly repeating the main lines of the story of excavation at Dura, and subsequent publication, largely told in the posthumous book by Clark Hopkins.¹ It began, with a single day's visit, under the protection of British forces, by the Chicago Oriental Expedition of 1920—the visit which provided the only record of the then still undamaged frescoes in what is now known (without any textual justification) as the “temple of Bel,” and which resulted in J. H. Breasted's wonderfully evocative book of 1924.² Already we can see what is at once the strength and the weakness of all the work done at Dura—the determination of all the participants to interpret (and to interpret immediately) whatever they found.

Breasted's book, which so eloquently records the dangers of travel along the Euphrates in the post-war period, had an introduction by Franz Cumont, and it was he who in 1922, and now under the protection of the French army, took the investigation further. In some senses, nobody could have been better equipped for the task. His great work on the monuments of the cult of Mithra had been published in 1899, his *Religions orientales* in 1907, and his *Études Syriennes* in 1917. But, equally, the whole tendency and purpose of his work lay in revealing the “oriental” element in later Graeco-Roman culture. He too was to demonstrate an almost unbelievable energy and creativity in relation to Dura. He spent there two periods of about four weeks each, in October–November of 1922 and 1923, on the basis of which he published in 1926 his book of over 500 pages, *Fouilles de Dura-Europos*, with a massive historical introduction, reports of excavations of two temples, and observations on other areas of the site, as well as the publication of a substantial group of documents on parchment,

and of no less than 134 inscriptions (stone-cut, dipinti, and graffiti).

The two dominating figures in the great series of excavations which followed were to be Cumont and M. I. Rostovtzeff, who was by now established at Yale. The ten seasons of work from 1928 to 1936–37 were a joint enterprise between Yale and the Académie des Inscriptions, with the agreement of the French mandatory authorities and the Syrian government, and a contract to divide the moveable finds between Yale and the National Museum in Damascus. The extremely dangerous and unsettled conditions in which the work was conducted are described in Velud's article of 1988.³

Apart from the first season, which took place in spring 1926, and lasted two months, the remaining nine seasons occupied about six months each, from October or November to about April. The work will always be associated with the name of Rostovtzeff, and rightly so. But it is absolutely essential, if we are to understand the results of the excavations, to appreciate the point made in the introduction to the first *Report*, namely that he and Cumont are described as the *scientific* directors.

I have tried to stress elsewhere, in a brief paper in *Viestnik Drevnei Istarii*,⁴ that the involvement of Cumont and Rostovtzeff in the excavations was fundamentally a matter of conception and interpretation. Preconception, one might say: for Rostovtzeff had actually promised Cumont in advance that the excavations would reveal a Mithraeum—and so, by some miracle, on Rostovtzeff's visit in 1934, they did. Cumont, summoned to Dura after the discovery, published the Mithraeum himself in a section of the *Preliminary Reports* on the seventh and eighth seasons (1939, see appendix). He was then seventy-one, and Rostovtzeff sixty-nine.

I emphasise all this in order to make clear that the work, conducted under difficult and dangerous conditions, was carried out by an evolving team of quite young, and in many cases inexperienced, archaeologists, under the guidance of these two great figures. The work was carried out with great speed, while inevitably leaving untouched large parts of the city (see the plan of the city, and the indications of the areas excavated, in map 1 below). More important still, by no means all that was found was ever published, even in preliminary form. The approach of war, and the effects of the war on individuals, meant that much remained in the form of excavation notes and reports. To gain an impression of the incompleteness of it all, and the disruption caused by the war, it is instructive to read

Susan Matheson's article (which in no way claims to be a full report) on the tenth season, of 1936–37, published in 1992.⁵

Even the wonderful series of *Preliminary Reports*, of which the ninth and last, on the season of 1935–36, was published only in 1952,⁶ are not in fact in character preliminary reports at all, in the sense of formal presentations of raw data. They are much closer to general narratives on the one hand, and to discursive and wide-ranging interpretations on the other. For that reason they must rank among the most interesting, readable, and stimulating archaeological volumes ever written. But for that same reason, it would be both desirable, and extremely instructive, for the entire corpus of material from Dura, whether unpublished, embodied in *Preliminary Reports*, or set out in *Final Reports*, to be systematically reviewed. Such a review would on the one hand be a fascinating case study of a great excavation, conducted with unbelievable energy, and interpreted with perhaps too great intellectual force; and on the other it would be a review of what it is that we can actually claim now to know about Dura.

As regards the site as it now is, and what can be made of the interwar excavations, the papers published in *Syria* and in *Mesopotamia* offer some starting points for a review.⁷ Some further excavations are also continuing. As regards Dura as it had been in the Parthian period, from the end of the second century B.C. to the 160s A.D., when Roman forces occupied it, the state of our knowledge is yet more precarious. Firstly, it is inevitable that the site, apparently deserted after the Persian conquest of the middle Euphrates area in the 250s, should, when excavated, have yielded most information about the eight decades of Roman occupation. It is to the spectacular finds dating to the Roman period that the majority of the most revealing volumes of the *Final Reports* relate,⁸ and most of the contents of the wonderful *Final Report* on the parchments and papyri,⁹ which is largely taken up with Roman military documents. The other *Final Reports* largely concern small finds. No *Final Reports* on private houses have been published, and I do not know if any are planned.¹⁰ Nor do I know if there are any plans for a *Final Report* of the inscriptions. It is the lack of serious, coherent study of the inscriptions, which include regular stone-cut ones, dipinti (some of them on frescoes), and graffiti on walls and sherds—almost all types, in fact, except mosaic inscriptions—which is the greatest single weakness of the whole publication process. The inscriptions have to be considered as the main victim of the only partial continuation of the work on Dura in

the period since the Second World War.

It is thus Roman Dura, with its remarkable concentration of different types of religious buildings, pagan, Jewish, and Christian, and its extraordinary range of different languages, Greek, Latin, Semitic (including Aramaic, Hebrew, Palmyrene, and Syriac), and Iranian (including some perishable documents which have still not been fully published),¹¹ that we can really encounter. It is probably best portrayed still in Bradford Welles' paper, "The Population of Roman Dura" (1951).¹² Even the Mithraeum, first attested in 168, just after the Roman takeover, belongs in this context.

For Parthian Dura, or Dura during the period of Parthian rule, we must expect to have much more limited evidence and should anticipate that many aspects of it will hardly be discernible at all—or alternatively might appear more clearly only if and when, for instance, the evidence on the evolution of private housing could be more fully analysed. I am in any case in no way equipped to analyse the data from small finds, and, as a historian, feel some confidence only when dealing with verbal evidence, with definable public or communal structures, like temples, or with relatively intelligible works of art, such as sculptures, reliefs, and wall paintings.

But, having stated these very clear limitations, both as to what we can expect from the evidence, and as to what this modern observer of it can offer by way of interpretation, what remains truly striking is, on the contrary, the sheer extent and the very explicit character of so much that does in fact survive from Parthian Dura. The evidence for this period, some of it also reflecting the life of small settlements along the Euphrates above and below Dura, includes a large range of material of a very concrete, impressive, and revealing nature.

Dura bore throughout its history the marks of its original establishment as a Hellenistic settlement. The most recent excavations have, however, shown that early Hellenistic occupation was limited to a small area around the citadel; the city plan and the walls belong to the middle of the second century, just before the arrival of the Parthians.¹³ The resultant chequer-board pattern of streets, and the circuit of walls fronting the steppe (and, originally, running along the bluff overlooking the river), remained to the end (see map 1). Almost nothing is known of Seleucid Dura, though it is noticeable how a Greek parchment of A.D. 180, thus dating to some fifteen years after the Roman occupation, emphatically reasserts the continuing role of the Greek cults of the city, including the priesthood of Seleucus

Nicator himself.¹⁴

There are no inscriptions which are datable to the Seleucid period,¹⁵ though there are—very remarkably—two surviving parchment documents, one of the second century B.C., without a more precise date (*P. Dura*, no. 15), and one fragment of 116 B.C. (*P. Dura*, no. 34), thus dating to very shortly before the Parthian occupation. An even greater silence envelops Dura in the first six or seven decades of Parthian control. In the normal sense of “Hellenistic,” the life and culture of *Hellenistic* Dura is almost wholly unknown to us. It should therefore be stressed that the “Parthian” Dura of which we can know something, and on which some of our material, both written and iconographic, throws a lot of light, is that which was contemporary with the first two hundred years of the Roman Empire, from the 30s of the first century B.C. to the 160s A.D.

This fact immediately confronts us with a major problem, in that the main reason why we have some conception of developments in Dura is precisely the same reason why we can follow local developments in so many regions of the Roman Empire, namely the sudden emergence of building projects, and of inscriptions accompanying them. Moreover, it is not just that there is a parallelism between Dura and the now “Roman” Mediterranean world. It is also that the datable inscriptions of Dura begin with a Palmyrene one of 34/3 B.C., recording the construction of a temple of Bel and Yarhibol.¹⁶ It happens to precede by one year the next earliest dated inscription from Dura, a Greek inscription of 33/2 B.C. from the “temple of Artemis/Nanaia.”¹⁷

This pair of inscriptions is significant in many different ways. Firstly, as already mentioned, they inaugurate the inscriptional evidence for building in Dura, which continues to the end of the “Parthian” period, and through the Roman one up till the Persian conquest. Secondly, Greek and Palmyrene are the only two established languages of public inscriptions (and dipinti) in Parthian Dura. As we will see, the traces of Parthian itself are so slight as to be negligible; the other Semitic languages which, as we have also seen, are attested in the Roman period do not appear earlier. Thirdly, the series of Palmyrene inscriptions from Dura, which continues into the Roman period, is only one aspect of a range of evidence showing a Palmyrene presence along the various routes across the steppe from the city to the Euphrates and along the river itself.¹⁸ We might be tempted to think of the evidence from Dura written in that variety of Semitic

script which is normally labelled as “Palmyrene” as being better described as simply that characteristic of the wide desert zone embracing the Euphrates. But in fact some items unambiguously name Palmyra (TDMWR); and it is better to accept that in a quite significant sense Dura, while part of the Parthian Empire, did also come within the Palmyrene zone of influence. By the early first century A.D. at least, Palmyra itself was clearly within the sphere of Roman control. So it was more than a mere parallel in the pace of urban development which linked Dura to the Mediterranean world of the Roman Empire.

Thirdly, the two inscriptions of the 30s B.C. are very significant in that, like the vast majority of dated documents from Dura, both are dated by the Seleucid era beginning in October 312 B.C. The Palmyrene one dates from (Seleucid) year 279 and the Greek from 280. As was later to be the case with Syriac documents and literary texts, the now defunct Seleucid Empire lived on in Dura through the use of its era. Though the subject of this paper is the culture of “Parthian” Dura rather than its political relationships, it is worth asking briefly how we would in fact know, on the basis of the evidence from the site itself, that Dura actually had indeed been under the Parthian kings. The evidence is in fact quite limited. There are no sculptures, reliefs, or wall paintings representing any of the Parthian monarchs, and there is no trace of any institutions for their cult (by contrast, we have already noted a priest of Seleucus Nicator who was in post in A.D. 180; and we will see later a sculptural representation of him dating from the Parthian period). The only images of these kings from the site are those on the coins found there.¹⁹ These in fact cover the reigns both before and after the period of Parthian rule in Dura (and are accompanied by coins from many other sources), so the numismatic evidence alone might not serve to prove that Dura had been within the Parthian domain. There are at no stage any coins minted by Dura itself, so this (potentially) unambiguous form of recognition of a sovereign is also not present.

Equally, there are in fact no inscriptions from “Parthian” Dura which specifically name any of the Parthian kings. The nearest which the epigraphic material comes to envisaging a wider governmental context of which Dura was a part is a number of mentions of a *stratēgos* and *epistatēs* of the city,²⁰ stretching from 33/2 B.C. (the earliest Greek inscription; see above) until after the Roman conquest: paradoxically, the latest reference comes from an inscription in Latin which is thought to date to around A.D. 200: *Sept(imium) Lusian*

str(ategum) Dur(ae).²¹ It would be very reasonable to see such a person as a royal official rather than as a local one; but the fact that holders are still found in office at the end of the second century must suggest caution.²² At any rate in no inscribed document from Dura does either the term *basileus* or the name of any Parthian king appear.

That last fact lends a considerable extra importance to the very significant group of ten Greek parchments dating to the period from the 80s to 159/60 A.D.²³ First of all, it should be stressed that these documents, recording various private transactions, are all in Greek, and also provide no parallel to the subscriptions in Nabataean, Aramaic, or Syriac which can be found on Greek documents from the provinces of the Roman Near East.²⁴ The dating of this series of texts, and their chronological cohesion, serves also to emphasise again that the “Parthian” Dura to which we can make some approach is that which was contemporary with the Roman Empire.

In this context, however, what is important is that here alone reference to the Parthian kings is present and is, moreover, detailed and explicit. A formal correspondence is made between the Parthian royal era, and the Seleucid one (alluded to simply as “formerly”). So, for instance, in the earliest of the group, from A.D. 87, we find the following dating formula: “in the year 334 as the King of Kings reckons, but formerly 398.”²⁵ Two royal officials also appear later in the document, both described as “royal judges and belonging to the first and most-honoured friends and bodyguards” (upper text, line 10; lower text, lines 31–32).

The antichretic loan of A.D. 121, written in the village of Paliga or Phaliga near the confluence of the Chabur and the Euphrates, opens with similar royal titles, and also provides evidence of royal officials: a garrison commander, an *arkapat* $\bar{\epsilon}$ *s* (ruler of a city), and “a tax collector and *strat* $\bar{\epsilon}$ *gos* of Mesopotamia and Parapotamia, and *Arabarch* $\bar{\epsilon}$ [ruler of the Arabs].”²⁶ We do not gain any evidence of the relevant administrative or military functions of these officials. But the presence of the Arsacid empire is none the less very evident, as is a penalty in the form of a payment “to the royal treasury” (*to basilikon*, line 21). Like the two probable references to a “royal court” (*basilikon dikast* $\bar{\epsilon}$ *riou*) in the latest of this series of documents, of A.D. 159/60,²⁷ this allusion coheres with the entire framework presented by the group of ten parchments in making quite explicit the fact that private legal transactions in Dura, while conducted entirely in Greek, functioned within the context of the Parthian royal administration.

This administration, however, is itself represented in entirely Greek terms, save only for the single appearance of the transliterated Iranian term, *arkapat* ²⁷ s, known also at Palmyra.

This accidentally preserved evidence does not allow any conclusions about the real degree of independence enjoyed by Dura, or as to whether this independence increased or decreased with time.²⁸ It does however strongly confirm the impression provided by the inscriptions of Dura in the Parthian period (whether inscribed, painted, or scratched) that the normal language of the city was Greek. Moreover, since one of the functions of this paper is to point to directions for further research, it might be suggested that this series of ten documents, all written within three-quarters of a century, could be re-studied and re-edited as a group, and would provide uniquely coherent evidence of a legal system functioning in Greek within the Parthian Empire.

We might have expected the presence of one or more Semitic languages in “Parthian” Dura; but, Palmyrene apart, these, as we saw, appear in the surviving evidence only in the Roman period. Or there might have been in the town Parthian-speaking officials, soldiers, traders, or settlers. That possibility can certainly not be ruled out. But the positive evidence for the use of Parthian is almost non-existent, and it is particularly significant that Greek predominates even in the most casual of graffiti.

The fact that Frye and others,²⁹ collecting up the as yet unpublished inscriptions of Dura, were able to add to their list of 235 inscriptions in Greek and Latin, along with one new Palmyrene one (no. 3 = *PAT*, no. 2831), also two brief and enigmatic Parthian dipinti on sherds (nos. 226–27) gives a fair idea of the balance of the material. So far as language use goes, we have to conclude that the evidence does nothing to suggest that Dura was in any sense a “Parthian” city. However, the extensive documentation in other languages does reveal the use at Dura of a number of Iranian personal names.³⁰ The more general pattern shown by the nomenclature of Dura in the Parthian period—or which would be shown if there were any parallel to Bradford Welles’ invaluable article on the population of *Roman Dura*³¹—is of a complete intermingling of Greek and Semitic names. A study of the names would probably show that office-holders, or benefactors responsible for the construction of temples, tended to have Greek names, and that the rest of the population exhibited a mixture. “Semitic” in this context refers, of course, to the linguistic

roots of the names, not to the ethnic origins of their bearers. As I stressed earlier, there is not a single document from Dura in the *Parthian* period which is in any Semitic language other than Palmyrene. The use of Greek, not only in formal inscriptions, or in dipinti identifying figures in frescoes, but also on graffiti on walls or potsherds, strongly suggests, obviously enough, that those persons living in Dura under the Parthians who were literate at all, and who used writing in their ordinary lives, were literate in Greek.

Naturally, these observations can prove nothing about which languages were used in spoken form, and here we must simply confess ignorance. But, to go by the written evidence, Dura remained in a real sense a Greek city. The wider context in which it functioned can be identified on the one hand as the zone of influence of Palmyrene culture, religion, trade, and military activity, and on the other (as we will see more clearly later) as the zone of cultivable land along the Euphrates and Chabur, inhabited by a population which wrote (if it wrote at all) in Greek, but which often used Semitic personal names. The great puzzle, which I do not know even how to begin to answer, is the question of in what sense Dura belonged to the zone of *Mesopotamian* culture, religion, and language. Dura itself of course is *not* literally in Mesopotamia, for it lies on the right bank of the Euphrates, looking across the river to the vast expanse of the central Mesopotamian plain. The zone immediately across the river is one whose culture in the Roman/Parthian period is entirely unknown. It was a journey of some 200 kilometres west-north-west before one reached the small kingdom of Hatra, which has revealed a long series of Aramaic inscriptions of the second century A.D. (but not before); or of some 250 kilometres, as the crow flies, before one reached (by travelling up the Euphrates and then either the Chabur or—as was evidently a normal route—the Balikh) the cities of the north Mesopotamian shelf: Edessa, Carrhae, Rhessaena, Nisibis, Singara. It was this area into which Roman forces advanced at about the same time as they occupied Dura in the 160s, and which was to be made Roman provincial territory in the 190s by Septimius Severus. We know that Greek was in use here, but also that Syriac (a dialect of Aramaic) developed here as a written language in a distinctive script with its own literature. Once again, we have clear evidence from the Roman period of connections between this Syriac-speaking zone and Dura.³² But from the Parthian period there is silence.

If we were searching for sources of external influence on the

culture of Dura, a more promising direction would be to look south-eastwards, some 500 kilometres down the Euphrates to Babylon, or a little less to Ctesiphon and Seleucia on the Tigris. For it is well known, firstly, that the Palmyrene presence was felt not only in Dura but further south-eastwards along the river towards this ancient centre of civilisation.³³ It should be stressed that we do know that an Akkadian culture still existed in Babylonia; cuneiform writing remained in use at least until towards the end of the first century A.D. This area is relevant not merely because it is beyond question that there was a trade route which ran along the river, but because both Cumont and Rostovtzeff from the beginning saw Dura as promising to reveal the culture of a *Mesopotamian* city—which, literally speaking, it was not.³⁴ There was however a sense in which “Parthian” Dura, lying on the river, did indeed belong to “Mesopotamia,” for the parchment of A.D. 121 (text to n. 26 above) mentions a *paral ē pt ē s* (tax collector) and *strat ē gos* of Mesopotamia and Parapotamia, and *Arabarch ē*. The document was written at P(h)aliga, near the confluence of the Chabur and the Euphrates, but found at Dura. A much more profound question is whether the excavations have revealed anything to justify the presupposition on the part of Rostovtzeff and Cumont that the local culture of Dura was in any significant sense “Mesopotamian.”

If there is, it lies in the nature of the cult centres or temples which were constructed in the Parthian period, from the late first century B.C. to the middle of the second century A.D. It is very suggestive that one of the few major studies of any aspect of Parthian Dura is Susan B. Downey’s book on “Mesopotamian” religious architecture from Alexander to the Parthian period.³⁵ The book includes a section on Ai Khanum in Afghanistan, as well as two sections on sites in Iran, not to speak of its detailed treatment of Dura itself. So questions of definition become crucial. How are we to define or identify those types of cult building of the Parthian period which come from the vast zone traversed and colonised by Alexander, and which are not temples in “Greek” style, with a pillared *pronaos* surmounted by a pediment, and an oblong *cella* surrounded by columns? This much at least is clear: that though Dura was a Hellenistic *apoikia* (settlement), and remained Greek-speaking, the excavations there have so far revealed no examples of the standard Greek temple. There is therefore a real question about the origins and nature of the types of cult building which have been found there.

These public, or communal, buildings will form the main focus of

what follows, not least because they raise in acute form the questions both of how the deities worshipped in them were identified and of what constitutes “a temple” as a distinct architectural entity. Both questions depend very largely on inscriptions, mainly in Greek, but in a couple of cases also in Palmyrene. When an inscription names a god, under what conditions are we entitled to identify the context in which it was found as “a temple of” that god? And where (as they frequently do) inscriptions record explicitly the structures or architectural elements which a donor, or group of donors, has put up, how certain can we be as to which structures are referred to by the Greek (or Palmyrene) terms used? The relationship of epigraphy to the building history of Dura is one of the main reasons why a complete revision of the inscriptions, as of the whole archaeological record, is really required before we can be sure of what we really know of the city under the Parthians. So, equally, is the question of what terms are in fact used of the gods concerned. Who, for instance, would guess that the temple now identified as that “of Bel” (or formerly “of the Palmyrene gods”) owes its identity to the discovery there of Greek graffiti and an inscription which names “Zeus,” “Zeus Megistos” (“the greatest Zeus”) or “Zeus ΣΩΤΗΡ” (“Zeus the Saviour”)? (See below.)

The brief notes which follow are of course no substitute for such a fundamental revision, and cannot deal with all the possible cases. Those that seem most worth-while to discuss will be considered briefly in chronological order, that is to say, in the sequence suggested by those dated inscriptions which refer to them. Therefore, except in those cases where the inscription makes it unambiguously clear that what is involved is the construction of an entirely new temple, the dates are not necessarily those of the creation of the temple; very often indeed, as will be seen, the inscriptions are either dedicatory, with no explicit mention of what was being dedicated, or make clear that they record the construction or dedication of a specific architectural element within a larger setting. Moreover, even where a temple is described unambiguously as new, it does not follow that the deity mentioned had not been worshipped in Dura already, either on the same site or elsewhere.

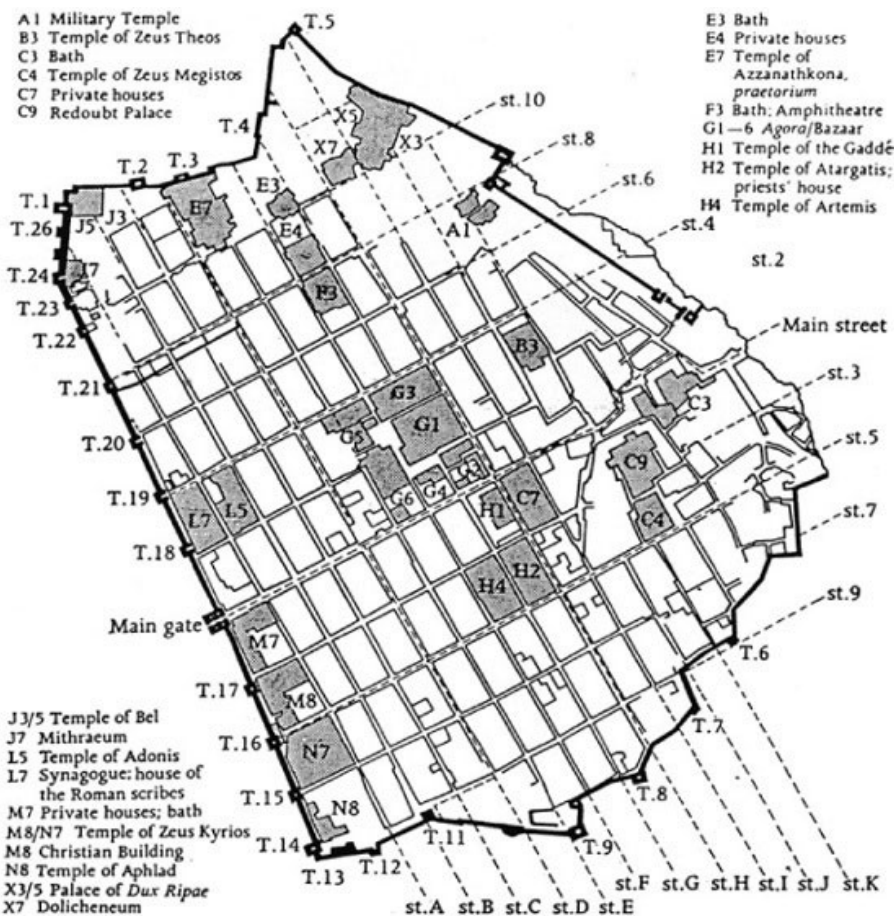
Throughout, the inscriptions raise two persistent problems. Does a dedication to a particular deity imply that the whole cult site is to be interpreted as “the temple of” that deity? Secondly, how are we to identify the various architectural elements recorded in the inscriptions, and which of them (again) are evidence for the existence

of “the temple of” a particular deity? It must be stressed that, inevitably, it was the discovery of religious inscriptions which provided the excavators with labels for the buildings excavated at Dura. But there is unfortunately no simple or obvious deduction from the discovery of an inscription naming a deity to the identification of an entire excavated complex as that deity’s temple. This question cannot properly be pursued here in detail, even with the aid of reproduced plans of all the sites.³⁶ For precisely what would have to be at stake in any serious review of the excavations, and the notes and field reports on them, would be how these plans and identifications were arrived at. They cannot simply be taken as a datum.

However, even a sketch based fundamentally on inscriptions, and using the powerful religious iconography of Parthian Dura whenever possible, will provide a partial insight into the culture and society of the city, and into the huge problems which remain to be investigated.

The religious history of Parthian Dura begins with the Necropolis Temple, situated some 350 metres outside the wall, and with the earliest dated inscription from Dura, the Palmyrene text of Seleucid year 279 (34/3 B.C.), mentioned above, recording the construction of a temple to Bel and Yarhibol (HYKL’ LBL WYRHBWL).³⁷ The god “B 𐎠𐎼𐎶 los” is also mentioned in two Greek inscriptions from the same site.³⁸ Since the so-called temple of Bel in the city has played such a large part in modern conceptions, it ought to be stressed that these are the only references to Bel (a Babylonian deity who was also the god of the main temple at Palmyra) from Dura.

From the city itself we know of the following temples which are attested from the Parthian period. The numbers relate to the plan of the city presented in map 1.



Map 1. Plan of Dura, with location of excavated areas.

1. The “Temple of Artemis” (or “Artemis-Nanaia”) (H4). A column at the entrance to the *pronaos* bears an inscription with the Seleucid year 280 (33/2 B.C.), naming one Seleucus as *stratēgos polios genearchēs* (general of the army and [?] ruler of the tribes).³⁹ The earliest reference to a deity of this temple, however, is an inscription of A.D. 2/3, in which a man with a Semitic name, Abidnē riglos Zabidilaiou (Servant of Nergal[?], son of Zabidilaios), erected something unspecified “to Artemis and Apollo the *archēgoi* [founders].”⁴⁰ Strictly speaking, we still have no mention of a temple “of” these deities. Nor do we in the inscription of A.D. 33/4, recording the construction of the *oikodomē* and the *psalides* (building and arches?),⁴¹ or “the *oikodomē* and the *thyrōmata* [gates],” referred to in A.D. 91/2.⁴² Artemis is however recorded from the same site also on inscriptions of the *Roman* period. Nanaia, however, owes her place here, and her possible identification with Artemis, to a single undated graffito, in which we have on the first line the Greek letters:

Π(=Μ)ΑΘΘΑΝΑΩΝΑΝΑΙΑΑ Δ Α Δ , no doubt identifying Nanaia and Hadad.⁴³ The question of what determines the identity of “the” god, or gods, “of” a temple is clearly a real problem here, as it is elsewhere.

What is clear at least is that the first half of the first century was a flourishing one for the “epigraphic habit” at Dura, and the inscriptions reveal a whole series of deities, and perhaps of temples, attested within a few years.

2. The “Temple of Zeus Kyrios” (M8/N7). It is paradoxical that in this case, where a formal correspondence between the Greek and the Semitic name of the deity is provided by the evidence (instead of being a hypothesis), the temple goes under the Greek name of its god, Zeus Kyrios, only, and not also under its Palmyrene one, Baalshamin. An inscription from above the altar gives the date A.D. 28/9, with no further information. But a bilingual Greek and Palmyrene one, dated to A.D. 31/2, and placed under a bas-relief of the deity, who is seated on a chair (see fig. 1), with the dedicant, identified as Seleucus, standing beside him, records that an image (Μ Σ Β' / *andrias*) had been dedicated to “Baalshamin the god” (Β'Λ ΣΜΥΝ 'ΛΗ') and to Zeus Kyrios (“Zeus the Lord”).⁴⁴ The bas-relief was placed on the wall above an altar. There is no documentary evidence for how the architectural setting in which the bas-relief was placed would have been described or identified.

3. The “Temple of Azzanathkona” (E7). The structural development of the site is not easy to follow. But an inscription of A.D. 33/4 records that something unspecified was dedicated to Azzanathkona, on behalf of himself and his children, by one Rechimnaios.⁴⁵ The substantial list of Greek (and later Latin) inscriptions from this context includes no others which name the deity until we reach one of A.D. 161/2, recording that Zabidkonos son of Rhaeibelos “erected a chamber in the temple (?) to the goddess Artemis, called Azzanathkona.”⁴⁶ The temple, or cult site, evidently pre-existed the dedication mentioned above, for the earliest of the long series of inscriptions



Fig. 1. Relief of Zeus Kyrrios / Baalshamin. Yale University Art Gallery, Dura-Europos Collection.

on the steps dates to A.D. 12/13.⁴⁷ There is no other evidence identifying the structure as a temple.

4. The “Temple of Atargatis” (H2). From about the same moment

we have inscriptions from the area which lies next to the “temple of Artemis,” and which was taken by Cumont to be part of it,⁴⁸ but which was subsequently identified as a separate temple.⁴⁹ The earliest inscription from the site dates to A.D. 31/2⁵⁰ and records the erection of something unspecified, with no divine name given. Three years later, the same man, Ammonios, dedicated *phalloi*,⁵¹ and two years later again a group of persons dedicated a *topos* (place), not further defined, to “the goddess” (*thea*).⁵² The name “Atargatis,” by which the temple is now identified, is in fact attested first by an inscription from this site which is dated to A.D. 92/3, and which records the erection of an *oikos* (house), with a *tamieion* (treasury) inside it, for the “good order [*eukosmia*] of the Atargateian temple” [*sic*].⁵³ There are also inscriptions of the Roman period from the site referring to Atargatis.⁵⁴ Taken together, the evidence, especially that mentioning the temple (*hieron*) of the goddess, makes the identification secure. None the less, it should be noted that from the same temple there is a dedication to the unknown god *theos Sasados*,⁵⁵ and another, from the Roman period, to *theos Saddoudan*,⁵⁶ as well as a Greek-Palmyrene bilingual inscription dedicated to *theos Helios* / “Shamash the god” (ŠMŠ 'LH').⁵⁷ It can thus be taken as certain that dedications to more than one deity could be erected in the same temple or cult centre. The relevance of this fact to the identification of temples on the basis of inscriptions is obvious.

5. The Temple of Aphlad (N8). In the south-west corner of the city, in an irregular set of rooms clustering around a courtyard, there was found an inscribed slab from the Seleucid year 365, A.D. 54/5, recording that the members of a *hetaireia* had erected an *andrōn* (chamber?) to “Apalados the god” for the safety of the *strategos* Seleukos.⁵⁸ By good fortune, the name of one of



Fig. 2. Relief of Aphlad. National Museum, Damascus.

the dedicants, Adadiabos son of Zabdibolos, occurs also on the

inscribed relief (see fig. 2) which was found along with the inscribed slab, and which represents the god himself, here called “Aphlad.”⁵⁹ The two texts must be at least approximately contemporary, and the inscribed relief might well be regarded as the single most revealing product of Parthian Dura. For the god is identified as “of Anath [the] village of [the] Euphrates,” in other words as coming from Ana, which lies more than 100 kilometres down the river from Dura. Like P(h)aliga, which lies in the opposite direction (text following n. 34 above), Ana(th) and other Greek-using villages scattered along the river give a real sense to the notion of a “Parapotamia” (above). The heavily clad god is represented standing on two eagle-griffins, with a priest in a conical hat standing beside him. The iconography of the relief will not be discussed here, but it can be stressed that, in this case at least, we seem to be at the moment of the foundation (*apheidrusis*) of the sanctuary—“this foundation [dedication?] of [the] temple of Aphlad called god of the village of Anath of [the] Euphrates.”

6. The Temple of Zeus (“temple of the Palmyrene gods” or “temple of Bel”). This temple, situated in the north-west corner of the city (J3/5), provides the most extraordinary example of the confusions about identification which mark the reports of the excavations. It is also of great importance, for it is this structure which contains the famous frescoes of sacrifice by someone identified as Konon and by the Roman tribune Iulius Terentius. These wall paintings and their painted inscriptions (which also identify the images of the Tyche of Palmyra and of Dura itself) will not be discussed further here.

Neither of the two successive conventional names (“temple of the Palmyrene gods” and “temple of Bel”) used for it since the 1920s has any support in the evidence. On the contrary, there is as good evidence here as anywhere else for the identification of its god, namely that it was Zeus. A dedication of A.D. 51/2 from here is addressed to Zeus Σ Ὁ τ Ἐ ρ.⁶⁰ More important, another inscription, of A.D. 114/15, records that Lysias son of Konon had dedicated “this *oikos* [house] and the *hyper Ὁ ion* [upper storey]” out of reverence for Zeus.⁶¹ After an earthquake in A.D. 160 the city itself also set up a dedication here to “[the] Greatest Zeus” (*megistos Zeus*).⁶² There are also undated *graffiti* naming “Zeus” or “Zeus Megistos”;⁶³ but the fact that another temple (located at C4) was identified by the excavators as that of *Zeus Megistos* ought to make us hesitate as to how consistently these divine appellations were in fact used in Dura. But if the temple

in the north-west corner of the city is to be labelled at all, it should be as that of Zeus. There is no attestation of the divine name “Bel” from the temple.

7. The Temple of Zeus Theos (B3). Before the end of the Parthian period there was to be a third temple of Zeus in Dura. For an inscription of A.D. 120/1 records in very formal style that Seleukos son of Theomnestos son of Antiochos, a “*Eur* ♂ *paios* and belonging to the *pr* ♂ *toi* [leading men],” had erected to Zeus Theos the temple (*naos*), the gates (*thyr* ♂ *mata*) and “the painting of the images.”⁶⁴ We can never be certain that *naos* does not refer to a shrine rather than a whole temple; but the text unmistakably claims to record a significant innovation. None the less, an altar inscribed with the name of Zeus, and dated to A.D. 113/14, was found on the same site,⁶⁵ so a cult of Zeus was already practised there.

8. The Temple of Adonis (L5). If one follows through the cult inscriptions of Parthian Dura in chronological order, there does seem to be an unmistakable tendency in the last few decades of Parthian rule for the texts to become more explicit and expansive. This is clearly the case with the temple of Adonis located near the western wall, where a series of quite informative inscriptions begins in A.D. 152, and continues into the first two decades of the Roman period.⁶⁶ To add a typical note of confusion, however, the earliest of them (no. 870), very fragmentary, seems to refer to Atargatis, rather than Adonis, and the second (no. 871), recording the erection of an *oikos* (house) in A.D. 153 by eight men with transliterated Semitic names, identifies no deity; nor does 872, of A.D. 157/8, put up by the son of a high priest (*archiereus*) to record his erection of a *plintheion* (meaning uncertain). Adonis is in fact named only in two inscriptions of the early Roman period: no. 873, of A.D. 175, recording the erection of an altar, and no. 875, of A.D. 181/2, recording the building of a peristyle and *oinochyteion* (wine cellar?) for the worship of Adonis. Whether the cult of Adonis originated in *Parthian* Dura must therefore be open to question.

9. The “Temple of the Gaddé” (H1). No such problem affects the identification of the last cult place to be considered, the so-called temple of the Gaddé in the centre of the city.⁶⁷ Here the story of the known temples of Parthian Dura ends as it began, with a strong Palmyrene influence. The most striking aspect of that influence is represented by the two carved reliefs of A.D. 159 which represent respectively the Fortune (Gad) of Dura and that of Palmyra (see figs. 3

and 4). The reliefs are illustrated by Greek and Palmyrene texts, which are deployed in combination to produce as explicit an identification of all the figures as possible: Hairanes, the dedicator; the Gad of each city; and Seleucus Nicator (SLWKWS NYQ ^T WR). Only the Nike who is shown crowning the Gad of Palmyra on the second relief (fig. 4) is not explicitly labelled. It should be stressed, however, that the formally cut inscriptions intended as functional elements to accompany the reliefs are all in Palmyrene. Greek comes in only in the form of a dipinto added on the top of each relief, identifying the dedicator.

It may be useful to lay out as clearly as possible the disposition of the Greek dipinti and the Palmyrene texts (transliterated) attached to each of the reliefs. The first relief (fig. 3 and table 1) is labelled with:

(a) Dipinto above head of dedicator: “Aira[n ^ē]s [M]ali[chou]” (*Report VII/VIII*, 275, no. 903)

(b) Carved Palmyrene inscriptions below figures (*Report VII/VIII*, no. 907 = *PAT*, nos. 1094–96)

The second relief (fig. 4 and table 2) is labelled with:

(a) Dipinto near head of dedicator: “Let [Hai]ranes son of Malichos son of [Nasor] be remembered” (*Report VII/VIII*, no. 902)

(b) Carved Palmyrene inscriptions below figures (*Report VII/VIII*, no. 908 = *PAT* nos. 1097–98)

It must remain not wholly certain, however, whether these two reliefs representing the personified *Tychai* of Palmyra and Dura are sufficient to demonstrate that the architectural setting in which they were found is a temple, and specifically a temple of these deities. It should be recalled that the same two personifications, duly labelled in Greek, are also represented on the famous wall fresco of the Roman period from the temple which should be labelled as that of Zeus (no. 6 above), representing a sacrifice conducted by the *tribunus* Iulius Terentius.⁶⁸

As always, therefore, the details of the excavation record, the considerations which led to the identification of particular remains as belonging to distinct buildings, and the relation of the inscriptions to their physical environment—and, in a different sense, to their wider social and religious context—all require to be radically re-examined. All that I have tried to do in this paper is to take a very narrow selection from a vast range of evidence of all kinds, and to suggest what contribution the inscriptions in Greek and Palmyrene which are dated, and which refer to cults, divine images, and cult buildings,



Fig. 4. Relief of Gad of Palmyra. Yale University Art Gallery, Dura-Europos Collection.

Table 2. Relief of Gad of Palmyra		
Left	Centre	Right
(Missing)	GD' DY TDMWR 'BD	BYR H NYSN ŠNT 470
	H Y[RN] BR MLKW	
	BR N S WR	
	Gad of Tadmor, which	In the month Nisan,
	Hairan son of Maliku,	year 470
	son of Nasor made	

decades of Parthian rule, and to consider them from a variety of points of view, from the history of script and language to that of law and social history. Much more complex and difficult would be the task of re-assessing all the inscriptions, and producing a corpus of them. But that very process would, as always, run the danger of divorcing this verbal material from the physical and monumental contexts to which it belongs. It would be in many ways a yet more difficult task to re-examine those contexts, and to ask what part the inscriptions played in forming the proposed identifications of buildings in the city.

The genius and energy of Cumont and Rostovtzeff initiated and carried through these uniquely productive excavations. But these same qualities led to over-ambitious and over-hasty interpretations of the results. It would not be a betrayal of their heritage, but a tribute to it, if the entire story—of the excavations and of Dura itself—were to be re-examined.

Appendix

1. *Parthian Dura: Selected Evidence (material incorporating writing)*

(a) General

F. Cumont, *Fouilles de Doura-Europos* (Paris, 1926):

29ff., Le temple “des dieux palmyréniens” et ses peintures (355ff., inscriptions 1–49)

169ff., Le temple d’Artémis et ses sculptures (404ff., inscriptions 50–133)

450, ins. 134 (Greek inscription of A.D. 175/6 with Parthian titles)

P. V. C. Baur and M. I. Rostovtzeff, eds., *The Excavations at Dura-Europos Conducted by Yale University and the French Academy of Inscriptions and Letters, Preliminary Reports* (New Haven and Oxford, 1929–):

First Season (Spring 1928) (1929)

30ff., The Greek and Latin Inscriptions.

61ff., Two Palmyrene inscriptions.

Second Season (1928/9) (1931):

86, ins. 2 “temple of Palmyrene gods” (A.D. 160)

91, ins. 4 “temple of Palmyrene gods” (A.D. 51)

164ff., Konon family

Third Season (1929/30) (1932)

4ff., The Temple of Artemis

9ff., The Temple of Atargatis

40ff., ins. nos. 144, 147, 148?, 151–53, 157–59, 161 (A.D. 2), 162

Fifth Season (1931/2) (1934)

98ff., Temple of Aphlad (pl. XIII)

112ff., ins. 416–47

131ff., Temple of Azzanathkona

139ff., ins. 449–80

177ff., ins. 504–55
Sixth Season (1932/3) (1936)
 397ff., Temple of Artemis-Nanaia
 411ff., ins. (Cumont, no. 52), 33/32 B.C.; 802–4
Seventh and Eighth Seasons (1933/4 and 1934/5) (1939)
 23ff., Fortifications, Parthian period
 128ff., ins. 867–69 (A.D. 86/7, 116/17, 118/19) from site of (later) Mithraeum
 135ff., Temple of Adonis
 167f., ins. 870 (A.D. 152), 871 (A.D. 153), 872 (A.D. 157/8), (873, A.D. 175; 875, A.D. 181/2)
 180ff., Temple of Zeus Theos
 212ff., ins. 886–900 (A.D. 113/14–120/21)
 218ff., Temple of Gaddé
 258ff., Reliefs of Gad of Dura (pl. XXXIII); Gad of Palmyra (pl. XXXIV); Iarhibol (pl. XXXV.2) = figures 3 and 4 above
 275ff., ins. 901–3 (Greek); 907–8 (A.D. 159), 909–13 (Palmyrene)
 284ff., Temple of Zeus Kyrios
 307ff., ins. 914 (A.D. 28/9); 915 (A.D. 31/2, Greek-Palmyrene)
 310ff., Necropolis Temple
 318f., ins. 916 (34/3 B.C., Palmyrene); 917–18 (Greek)
Ninth Season (1935/6), pts. I–III (1952)
 S. B. Matheson, “The Tenth Season at Dura-Europos, 1936–1937,” *Syria* 69 (1992): 121–40.

(b) Inscriptions

See also (a) above

SEG II, nos. 754–824; VII, nos. 332–801 (*SEG* did not collect the inscriptions from Dura after *Report* IV of 1930/1).

R. Mesnil du Buisson, *Inventaire des inscriptions palmyréniennes de Doura-Europos* (1939), esp. nos. 1 (34/3 B.C.), 23 (A.D. 31/2), 28–32 (A.D. 159).

R. N. Frye, J. F. Gilliam, H. Ingholt, and C. B. Welles, “Inscriptions from Dura-Europos,” *YCS* 14 (1955): 127–213. Note esp. ins. 1 (temple of Atargatis, A.D. 34/5); 2 (A.D. 37); 3 (Greek/Palmyrene); 226–27 (Parthian dipinti).

J. Teixidor, "Parthian Officials in Lower Mesopotamia," *Mesopotamia* 22 (1987): 187–93.

D. Hillers and E. Cussini, *Palmyrene Aramaic Texts* (1996), nos. 1067ff.; 2831.

(c) Greek Documents written on Parchment

C. B. Welles, R. O. Fink, and J. F. Gilliam, *Dura Final Report V.1: The Parchments and Papyri* (New Haven, 1959).

H. M. Cotton, W. E. H. Cockle, and F. G. B. Millar, "The Papyrology of the Roman Near East: A Survey," *JRS* 85 (1995): 214–35.

P. DURA number	Cotton, Cockle, and Millar, survey number	Content
18	39	Deed of gift. A.D. 87
19	40	Mutual distribution.
		A.D. 88/9. See C. Saliou, "Les quatre fils de Polémocratès (<i>P. Dura</i> 19): texte et archéologie," <i>Syria</i> 69 (1992): 65–100.
13	36	Application by tax farmer. Late first century A.D.
16	38	Registry roll. Late first century.
14	37	Report of litigation? First/second century.
20	166	Antichretic loan. A.D. 121. Written in P(h)aliga.
21	41	Antichretic loan. First half of second century.
22	42	Loan on security. A.D. 133/4.
23	35	Antichretic loan. A.D. 134. Written in Ossa.
24	43	Acknowledgement of debt. A.D. 159/60.
25	46	Deed of sale. A.D. 180. Institutions of Dura.

(d) Coins

A. R. Bellinger, ed., *Final Report VI: The Coins* (1949), nos. 113–56: Coins of Parthian kings from Mithridates I (171–138 B.C.) to Vologases V (A.D. 207–22).

Notes

* First published in J. Wiesehöfer, ed., *Das Partherreich und seine Zeugnisse* (Historia-Einzelschriften 122, 1998), 473–92.

1. *The Discovery of Dura-Europos* (1979).

2. J. H. Breasted, *Oriental Forerunners of Byzantine Painting: First-Century Wall Paintings from the Fortress of Dura on the Middle Euphrates* (1924).

3. Ch. Velud, “Histoire des recherches à Doura-Europos. Contexte historique régional des fouilles de Doura entre les deux Guerres mondiales,” *Syria* 65 (1988): 363–82.

4. F. Millar, “M. I. Rostovtzeff i yevo rol’ v rukovodstve raskopkami v Dura-Europos,” *Viestnik Drevnei Istorii* 3/218 (1996): 184–87, which gives an unjustifiably limited assessment of the personal involvement of Cumont and Rostovtzeff in the excavations.

5. S. Matheson, “The Tenth Season at Dura-Europos, 1936–1937,” *Syria* 69 (1992): 121–40.

6. *The Excavations at Dura-Europos, Preliminary Reports* (1929–52). Henceforth the single reports will be numbered according to the season: *First Season* = *Report I* etc. For the dates of each *Report*, see appendix below.

7. *Syria* 63 (1986): P. Leriche, A. Al-Mahmoud, B. Mouton, and G. Lecuyot, “Le site de Doura-Europos: état actuel et perspectives d’action,” 5–25; A. Allara, “Les maisons de Doura-Europos. Questions de typologie,” 39–60; P. Leriche, “Chronologie du rempart de brique crue de Doura-Europos,” 61–84; P. Arnaud, “Doura-Europos, microcosme grec ou rouage de l’administration arsacide?,” 135–55.

Syria 65 (1988): P. Leriche and A. Al-Mahmoud, “Bilan des campagnes de 1986 et 1987 de la mission franco-syrienne à Doura-Europos,” 261–82; E. Will, “La population de Dura-Europos: une évaluation,” 315–21; Ch. Velud, “Histoire des recherches à Doura-Europos. Contexte historique régional des fouilles de Doura entre les deux Guerres mondiales,” 363–82.

Syria 67 (1992): P. Leriche and A. Al-Mahmoud, “Bilan des campagnes 1988–1990 à Doura-Europos,” 3–28.

Mesopotamia: S. B. Downey, "New Soundings in the Temple of Zeus Megistos at Dura-Europos," 28 (1993): 169–93; E. Dabrowa, "Dall'autonomia alla dipendenza: le città greche e gli Arsacidi nella prima metà del I secolo D.C.," 29 (1994): 185–98; S. B. Downey, "Excavations in the Temple of Zeus Megistos at Dura-Europos," 30 (1995): 241–50.

8. C. H. Kraeling, *The Synagogue* (1956, reprinted with additions, 1979); C. H. Kraeling, *The Christian Building* (1967).

9. C. Welles, R. O. Fink, and J. F. Gilliam, *Dura Final Report V.1: The Parchments and Papyri* (1959). The documents in this publication are designated *P. Dura*.

10. See, however, Allara (n. 7).

11. See H. M. Cotton, W. E. H. Cockle, and F. G. B. Millar, "The Papyrology of the Roman Near East: A Survey," *JRS* 85 (1995): nos. 154–56.

12. C. B. Welles, "The Population of Roman Dura," in P. R. Coleman-Norton, ed., *Studies in Roman Economic and Social History in Honor of A. C. Johnson* (1951), 251–74.

13. P. Leriche and A. Al-Mahmoud, "Doura-Europos. Bilan des recherches récentes," *CRAI* (1994): 395–420.

14. Welles, Fink, and Gilliam (n. 9), *P. Dura*, no. 25 = Cotton, Cockle, and Millar (n. 11), no. 46.

15. See Leriche and Al-Mahmoud (n. 13), 403–4.

16. R. Mesnil du Buisson, *Inventaire des inscriptions palmyréniennes de Doura-Europos* (1939), no. 1 = *PAT*, no. 1067. See now the important study by L. Dirven, *The Palmyrenes of Dura-Europos* (1999).

17. F. Cumont, *Fouilles de Dura-Europos* (1926), 409ff., no. 52; *Report VI*, 411ff., see below.

18. M. Gawlikowski, "Palmyre et l'Euphrate," *Syria* 60 (1983): 53–68.

19. A. R. Bellinger, ed., *Final Report VI: The Coins* (1949).

20. See Arnaud (n. 7), 147, n. 53.

21. *Report II*, 148.

22. *P. Dura* (n. 9), no. 25 = Cotton, Cockle, and Millar (n. 11), no. 46, see above; see also *P. Dura*, no. 17.

23. See appendix, section (c) below.

24. See Cotton, Cockle, and Millar (n. 11).

25. *P. Dura* (n. 9), no. 18 = Cotton, Cockle, and Millar (n. 11), no. 39, upper text.

26. *P. Dura* (n. 9), no. 20 = Cotton, Cockle, and Millar (n. 11), no. 166.

27. *P. Dura* (n. 9), no. 24 = Cotton, Cockle, and Millar (n. 11), no. 43.

28. Arnaud (n. 7); Dabrowa (n. 7).

29. R. N. Frye, J. F. Gilliam, H. Ingholt, and C. B. Welles, "Inscriptions from Dura-Europos," *YCS* 14 (1955): 127–213.

30. Ph. Huyse, "Zum iranischen Namengut in Dura-Europos," *Anz. Öst. Akad. Wiss., Wien* 125 (1988): 19–32.

31. Welles (n. 12).

32. See esp. *P. Dura* (n. 9), no. 28 = Cotton, Cockle, and Millar (n. 11), no. 100, a Syriac parchment of A.D. 243 found in Dura; now reprinted as P1 in appendix I of H. J. W. Drijvers and J. F. Healey, *The Old-Syriac Inscriptions of Edessa and Osrhoene* (1999); cf. F. Millar, *The Roman Near East, 31 B.C.–A.D. 337* (1993), chap. 12.

33. Gawlikowski (n. 18).

34. Millar (n. 4).

35. S. B. Downey, *Mesopotamian Religious Architecture: Alexander through the Parthians* (1988).

36. As in Downey (n. 35).

37. Mesnil du Buisson (n. 16), no. 1 = *PAT*, no. 1067.

38. *Report VII/VIII*, 320, nos. 917–18.

39. Cumont (n. 17), 409, no. 52; *Report VI*, 411, see above.

40. *Report III*, 63, no. 161 = *SEG VII*, no. 352.

41. *Report III*, no. 152 = *SEG VII*, no. 353.

42. *Report III*, no. 157 = *SEG VII*, no. 357.

43. Cumont (n. 17), 411, no. 55 = *SEG VII*, no. 336.

44. *Report VII/VIII*, 307, no. 915c; Mesnil du Buisson, no. 23 = *PAT*, no. 1089.

45. *Report V*, 177, no. 504.

46. *Report V*, 142, no. 453.

47. *Report V*, 196, no. 545.

48. Cumont (n. 17), 169.

49. *Report III*, 9ff.

50. Cumont (n. 17), 427, no. 85.
51. Frye et al. (n. 29), 129, no. 1.
52. Frye et al. (n. 29), 129, no. 2.
53. *Report III*, 61, no. 159 = *SEG VII*, no. 358.
54. *Report III*, 43ff., nos. 145–46 = *SEG VII*, nos. 334–35.
55. *Report III*, 59, no. 158 = *SEG VII*, no. 358.
56. *Report III*, 62, no. 160 = *SEG VII*, no. 343.
57. Frye et al. (n. 29), 131, no. 3 = *PAT*, no. 2831.
58. *Report V*, 113, no. 418.
59. *Report V*, 106ff., no. 416, pl. XIII.
60. *Report II*, 91, no. 4; *SEG VII*, no. 361.
61. Cumont (n. 17), 355, no. 1.
62. *Report II*, 86, no. 2 = *SEG VII*, no. 360.
63. Cumont (n. 17), 387, no. 25.
64. *Report VII/VIII*, 214, no. 888.
65. *Report VII/VIII*, 213, no. 887.
66. *Report VII/VIII*, 167ff., nos. 870–75.
67. *Report VII/VIII*, 218ff.
68. For the painted inscriptions, see Cumont (n. 17), 363, no. 8c.

CHAPTER SEVENTEEN

The Jews of the Graeco-Roman Diaspora between Paganism and Christianity, A.D. 312–438



Introduction: Aurelius Samohil

In the year 383 in Catania in Sicily a Jew named Aurelius Samohil bought a tomb in which to lay the remains of himself and his wife, and recorded the fact for posterity in an inscription in Latin, with an introductory line in Hebrew, while adorning the stone with two incised representations of menorahs. The text, written in a rough approximation to Latin, runs as follows:

Shalom to Israel, amen, amen; Shalom Shmuel [in Hebrew], I, Aurelius Samohil have bought [this] tomb [*memoria*] for myself and my wife Lasiferina, who died on the 12th day before the Kalends of November, on Friday [*diae Veneris*], on the eighth day of the month, in the consulship of Merobaudes for the second time and of Saturnus. She lived 22 years in peace. I adjure you by the *honores* of the *patriarchae*, and similarly adjure you by the Law (or the Light—*licem*) which the Lord gave to the Jews, that no-one should open the tomb and put in another body over our bones. But if anyone were to open it let him give 10 pounds of silver to the *fiscus* (the imperial treasury).¹

The inscription is perhaps even more remarkable than it may appear at first sight; and it also raises more problems than are immediately apparent. What is clear is that Aurelius Samohil proclaims himself unambiguously as a Jew, with a proud attachment to Jewish religious tradition. When he records that the Lord (*dominus*) gave *licem* to the Jews, he almost certainly means the Law (*lex*), though he might have meant “the light” (*lux*). What is clear at any rate is that he is living by a combination of a secular dating system and calendar and a Jewish one. “Friday” is expressed as *di(a)e Veneris*, “the day of Venus,” the term which would evolve into *venerdi/vendredi*. But the month referred to must be Mareshvan. It cannot be certain that he knew Hebrew himself; but at the very least he was in a position to have some appropriate Hebrew words inscribed.

Who are the *patriarchae* to whose *honores* he refers? He may well mean the biblical patriarchs. But the inscription might alternatively be

evidence of the extension to Sicily of the influence of the contemporary Jewish patriarchs in Palestine, to whom imperial legal pronouncements (see text to n. 93 below) first refer in 392 as *clarissimi et illustres* (most renowned and illustrious) *Patriarchae*.² If Aurelius Samohil is referring to them, that in its turn raises the much wider question of the nature of diaspora Judaism in the late Roman period. Are we to think of a relatively integrated and homogeneous Jewish world, in which all or most of the communities in the provinces of the Roman Empire observed a Judaism closely resembling that “rabbinic” Judaism of Palestine, which was just giving birth to the “Palestinian” or “Jerusalem” Talmud—or which the Talmud presents to us as “the” Judaism of late Roman Palestine? And if so, was this integration achieved by active contacts and supervision from Palestine? There is in fact one item of Roman legal evidence, an instruction sent in 399 by Arcadius and Honorius to (Valerius) Messalla, praetorian prefect of Italy and Africa, which implies that the *Patriarcha* was sending emissaries (*apostoli*) to collect money in this area, that is to say the Latin-speaking West.³ How far such *apostoli* exercised any religious authority or influence is of course a more complex question.

But the Roman legal evidence also raises another possibility: for it shows that among the numerous and varied Greek terms used to designate the officials of individual Jewish diaspora communities, the term *patriarcha* also figured.⁴ So Aurelius Samohil may simply have been referring to such local Jewish officials.

The most remarkable fact about the inscription is, however, that it is both one of the longest Hebrew texts and the longest Latin documentary text known from the Jewish diaspora of this period. It is beyond question that the best-attested language of the diaspora Jewish communities is Greek, and we need not doubt that the Bible in Greek translation was very commonly used in the synagogues of the diaspora,⁵ just as it could be even in the Greek-speaking communities of Palestine itself.⁶ That does not prove that the Hebrew Bible was unknown in the diaspora (for biblical scrolls in Hebrew in use in Rome in the 380s, see below); nor does it prove that Hebrew or Aramaic was nowhere spoken or used. At least for the Greek provinces, the publication of a *ketubba* written in Aramaic in Antinoopolis in Egypt, and securely dated to A.D. 417, must completely re-open the question of the use of Semitic languages in the diaspora; and perhaps all the more so because it contains such a high proportion of transliterated Greek, implying the use in the text of the

language of daily life.⁷

Aurelius Samohil could at any rate have a line of commonplace expressions inscribed in Hebrew. But the fact that he could express himself as an observant Jew in Latin is far more significant. As we will see, there is very clear evidence for the existence of Jewish communities in many parts of the Latin-speaking West in this period, from Africa to Italy, Spain, and Gaul. Though they may well have begun typically as immigrant communities of Greek-speakers, it is very likely that by now many of their members used Latin in ordinary life. The story of the conversion of the Jewish community of Minorca in 417 (see text to n. 104 below and following it) clearly presupposes the use of Latin equally by the Jews and by the surrounding Christians. But what of the Bible itself? The Christians seem to have had Latin translations of books of the Bible since the second century. Might the synagogue service ever have been conducted in Latin? And what of religious disputation, teaching, or writing? Augustine's story of Jewish opinions being asked on a point of biblical interpretation at Oea in North Africa seems to imply the use of Latin at least to discuss the text (see text to n. 79 below). But whether there was a Jewish Bible in Latin remains wholly uncertain.⁸ The social, intellectual, and religious history of the Jews in the Latin-speaking environment of the western half of the later Roman Empire remains a largely unexplored field. Fortunately we have some evidence, however scattered, which allows rather more direct access to the Judaism of the diaspora in the Greek-speaking part of the Empire.

The Diaspora in a Greek Environment

The diaspora of the eastern part of the Empire has certainly left far fuller evidence, both documentary and archaeological, than is available for the West; and some of this evidence needs to be set out, to establish a framework, before we look at the much more complex issue of the relations between religious groups. But as it happens, some, though not all, of the archaeological evidence itself also illustrates with the greatest clarity the effects of religious conflict, above all in the fifth century.

We may begin with the well-known synagogue at Stobi in ancient Macedonia. A substantial inscription of the late second or early third century records that a private house was made over to the Jewish community and converted for use as a synagogue. If the conditions of its use were broken, a very large fine was to be paid to the *patriarch* ^Ε

s: this was surely not the *Nasi* or *Ethnarch* $\bar{\epsilon}$ s, far away in Palestine (the forerunner of the fourth-century *Patriarcha*), whose rise to power had hardly begun.⁹ More probably, legal evidence suggests (see text to n. 4 above), this will have been a local official. Later the synagogue was replaced by a more elaborate one. But before the end of the fourth century this synagogue was to be destroyed, and replaced by a Christian basilica built directly on the site.¹⁰

A very similar story is revealed by the Belgian excavations at the great city of Apamea in Syria. For near the centre of the city, not far from the famous Great Colonnade which runs north-south, and some 120 metres south of the main east-west street, the excavators discovered the mosaic floor of a late fourth-century synagogue, with nineteen mosaic inscriptions recording the names of those who paid for the laying of the mosaic in and around the year 391.¹¹ The mosaics are strictly geometric and non-representational; the inscriptions, all in Greek, show a number of Hebrew names in transliteration: “Nemeas” (Nehemiah), “Phineas,” “Eisakios,” “Saoulos.” They also illustrate the complexity of office-holding within diaspora communities, revealing *archisynag* $\bar{\epsilon}$ *goi*, *gerousiarchoi*, *presbyteroi*, and a man described as *(h)azzan* or *diakonos*. One of the donors was Ilasios son of Eisakios, “*archisynag* $\bar{\epsilon}$ *gos* of the Antiochenes”—the Jewish community of Antioch to the north, of which more later (see text to n. 84 below). It would be difficult to find better evidence of a Jewish community established at the heart of the a Greek city—except that, once again, a Christian church was built exactly on the site of the synagogue in the fifth century, to be enlarged and adorned in the sixth.¹²

A very similar progression is visible at Gerasa in Jordan, where the mosaics of a fourth- or fifth-century synagogue—this time with representational elements depicting the story of Noah—underlie a Christian church which seems to have been constructed in A.D. 530/1.¹³ But here we are in a bilingual Greek/Aramaic setting, almost in the Holy Land itself; and it is better to turn to a contrasting case, the vast synagogue of Sardis in western Asia Minor.¹⁴ In this instance the building which eventually became a synagogue was not originally built as such, but comprised one part of a complex of buildings in the centre of the city, including a bath-house and a gymnasium. The section which by the third century had come into use as a synagogue consisted of a large basilica-like hall with a forecourt; its dimensions far surpass those of any other ancient synagogue, for the main building is some eighty by twenty metres, and the forecourt some

twenty metres square. It seems to have reached its completed form as a synagogue in the fourth century, as coins trapped under the mosaic floor show. Some marble revetment also dates to this period, and some adornment still seems to have been added in the fifth and perhaps the sixth century. Some of the dedicatory inscriptions from the mosaic floors and the marble revetments of the walls were published in full long ago,¹⁵ but now the entire corpus has been published by J. H. Kroll.¹⁶ Taken as a group, they clearly support the impression of a firmly Jewish community which is also integrated in the wider city. A number of donors describe themselves as *theosebeis*, a term which we can now be confident meant a gentile attached to a Jewish community without being a full convert.¹⁷ Others are labelled as *bouleutes*, “town councillor,” an indication of high social standing even in a period when this role was frequently an unwelcome burden. Perhaps most striking is the mosaic inscription which reads “Vow of Samoe, *hiereus* and *sophodidaskalos*.” In the context *hiereus* (priest) can only mean that he was a *cohen*; *sophodidaskalos* should mean “teacher of wisdom,” perhaps to be thought of as a translation of *talmid hacham*. Whether we should think of such a person as a “rabbi,” and if so how we should (once again) conceive of the relations between the “rabbinic” Judaism of Palestine and that of the diaspora, are questions to which we will come back below.

The Sardis synagogue, however, tells a different story from those of Stobi, Apamea, or Gerasa, for it seems to have remained in use as a synagogue until the seventh century. But all of them will serve to remind us that we have to see the religious history of the later Roman Empire at various different levels, one of which is the elementary one of street-level co-existence, or conflict, between groups professing different beliefs. Jewish synagogues,¹⁸ Christian churches, and pagan temples co-existed as visible structures within the bounds of provincial towns. The temples of course had long been there. But visible, recognisable synagogues were quite a new feature, and churches even more recent. Dura-Europos on the Euphrates may provide a model for the earlier period; when the town was destroyed by the Persians in the 250s, it already had a Christian church and synagogue—but both had been constructed within existing houses like the first version of the synagogue at Stobi.¹⁹ How visible and recognisable as structures synagogues in pagan towns typically were in the classical period remains unclear, though for instance the Alexandrian mob in A.D. 38 had had no difficulty in finding those in the city and forcibly setting

up pagan ornaments in them.²⁰ But the few archaeologically known synagogues of the fourth century were more elaborate and explicitly Jewish structures than any attested before; and churches, constructed as such, were a wholly new and revolutionary feature of the urban landscape. There are slight traces of such purpose-built churches before the conversion of Constantine in 312; but it was the wave of church building, mainly in basilica form, immediately after that, which began the transformation of the ancient city.²¹

The Conversion of Constantine and Its Consequences

The conversion of Constantine to Christianity in 312 is both an undeniable historical fact and (it could be argued) a significant turning point in the nature of the state. For it was from that moment that religious conviction came to structure the activities of the state in a quite new way; above all the Christian emperors came, step by step, to define the rights of their subjects differentially, in terms of their attachment to different religious groups. The year 312 was not, however, the moment when Christianity became “the official religion of the Roman state.” For, firstly, there was as yet no such thing; and, secondly, what it did was to make Christianity (whether “Catholic” or Arian) the religion of successive emperors, other than Julian (A.D. 361–63).

It is curious that, in spite of many discussions of various aspects,²² it remains very difficult to analyse or sum up the impact of the Christian beliefs of Constantine and his successors on the pagan cult practices of the empire. What is certain is that a few prominent temples in the Greek East were destroyed by imperial action already under Constantine;²³ that large amounts of treasure and ornaments were looted from temples;²⁴ and that a succession of imperial pronouncements were directed against sacrifice, divination, and magical practices.²⁵ But it is equally certain that for more than half a century the vast majority of pagan temples remained open, and that cults and sacrifices continued. A new, more emphatically Christianising phase, to which we will return below, opened only in the 380s, to reach a sort of culmination in the 430s.

The significance of the period from 312 to the 430s in the history of diaspora Judaism is, firstly, that it was a unique phase of overt co-existence, competition, and conflict between fundamentally different religious systems. This co-existence was first of all, as already indicated, a literal co-existence within the bounds of countless towns,

large and small. Secondly, it was an uneasy co-existence, where competition might take peaceful forms, as in Jerome's marvellous story of how the hermit Hilarion secured by the application of holy water the victory of a Christian racing chariot in games held at Gaza: so much faster was the Christian-owned chariot that opponents hardly glimpsed the horses' backs as they sped by.²⁶ But it was also a co-existence which could at any time break out into communal violence, sometimes prompted by, and often going beyond, the explicit wishes and intentions of the emperors. Far too little has been made, in the religious history of the fourth century, of the evidence for local Christian attacks on temples.²⁷ Such attacks began already under Constantine (ruling in the East 324–37) and continued under Constantius (337–61).²⁸ The response was a wave of pagan violence unleashed by the arrival on the throne of a self-professed and militant pagan, Julian, in 361. Julian himself explicitly intended not to create Christian martyrs. His pagan subjects, however, had other ideas and had local scores to settle. To take only two examples, at Heliopolis in Phoenicia a Christian deacon, Cyrillus, had taken part in the smashing of idols as early as the reign of Constantine; when Julian came to the throne the local pagans killed and disembowelled him.²⁹ Then, under Constantius, at Arethusa in Syria the bishop Mark went about the conversion of pagans "with more spirit than caution" and destroyed a magnificent temple; under Julian he was publicly tortured, thrown into a sewer, and tossed in the air, to land on the upturned styluses of the local pagan schoolboys.³⁰

The main significance of this very clear evidence for underlying communal-religious tensions for the position of Judaism is its relevance to similar conflicts in the period of overt Christian militancy in the 380s and after, of which more below. But it should be noted that Ambrose of Milan, in his famous Letter 40 of 388 (one of the prime testimonies to the Christian anti-Jewish militancy of that period) claims that under Julian not only pagans but also Jews had been active in destroying Christian churches:

And to be sure if I were to talk in terms of the law of peoples [*iure gentium*] I would say how many basilicas of the Church the Jews burned in the time of Julian's rule: two at Damascus, of which one has barely been repaired, but at the expense of the Church not the Synagogue; the other basilica lies in squalid ruins. Basilicas were burned in Gaza, Ascalon, Berytus, and almost everywhere in that area, and no one sought revenge. A basilica was also burned at Alexandria

by pagans and Jews.

Nearly all of Ambrose's cases relate to the borders of the Holy Land. But the future was to show that street-level conflict, involving Jewish communities, could break out anywhere. Indeed we know that it already had; for almost the earliest of the long series of legislative acts by Christian emperors concerning the Jews were pronouncements by Constantine forbidding Jews to stone or otherwise attack Jewish converts to Christianity.³¹

Paganism, Judaism, and Christianity

That brings us closer to a different level of religious co-existence, contact or conflict, namely the questions of individual conversion to or from paganism, Judaism, or Christianity; of actual dialogues, discussions, or debates conducted across the boundaries of religious systems; and of theoretical or theological expositions of any of these religious systems, either as such or in explicit contrast with any of the others.

To treat these questions adequately would be to write the entire religious and intellectual history of the period. But it may be possible to keep to the very broadest lines, beginning with the last-mentioned level, conscious religious self-definition in contrast with other systems, returning finally to the street-level co-existence and conflict in the half-century from the 380s to the 430s.

It might immediately be objected that to talk of "paganism" at all, as a definable religious system, as an "-ism," is to apply a wholly inappropriate and misleading category. This view could be defended for the classical period proper, though even that was marked by profoundly different philosophical views of the gods and by explicit discussions such as Cicero's *On the Nature of the Gods*, or later by Porphyry's views on sacrifice as expressed in his *On Abstinence from Living Things*. But by the fourth century the challenge of Christianity had long since forced those who observed the cults of the gods into explicit philosophical reflection on their system of belief and practice—which we therefore may appropriately call paganism; obvious fourth-century examples are Iamblichus, *On the Mysteries*,³² and Sallustius, *Concerning the Gods and the Universe*.³³ As a parallel and related development, explicit criticism of Christianity³⁴ had begun in the second century with Celsus' *Alēthēs Logos* (True Word), to culminate in the Emperor Julian's *Against the Galileans*. Pagan critiques of Judaism as a religious system could also be found in the

classical period; most of those which are known are so because they were quoted and answered in Josephus' *Against Apion*, written in Rome in the 90s A.D.³⁵ Celsus had also related Christianity very firmly to its Jewish context. But with one exception which proves the rule, serious pagan attention to Judaism as a religious system is not well attested in the period of religious co-existence with which we are concerned. All the available evidence is collected and discussed in the second volume of the *magnum opus* of the deeply regretted Menahem Stern, *Greek and Latin Authors on Jews and Judaism* I–III (1974–84). It may of course be that a pagan literature of this period which did discuss Judaism has been lost; but if so it has left no trace. The exception proving the rule is of course the emperor Julian himself, who is an exception precisely because he was born and brought up as a Christian; he then converted secretly and only declared himself as a pagan in 361.³⁶ We are not concerned here with the details of his plan to rebuild the Temple in Jerusalem, except to note that it is beyond question, as recorded by both pagan and Christian sources, that work did start on this project and was then interrupted by fires which Christians took to represent divine intervention.³⁷ What is significant in this context is Julian's complex three-way analysis of Judaism, Christianity, and paganism, as expressed most fully in his *Against the Galileans*.³⁸ To summarise drastically, Julian saw Judaism as a traditional culture and set of religious observances, which had its own values but could never claim the cultural level and achievements of classical civilisation; but it was precisely the traditional observances of Judaism which the Christians had reprehensibly rejected, while on the other side abandoning the cults of the pagan gods. What was more, traditional Judaism had once manifested a feature which made it comparable to and compatible with paganism, namely a Temple at which sacrifices were offered: "I wished to show that the Jews agree with the Gentiles (i.e. pagans), except that they believe in only one God. That is indeed peculiar to them and strange to us; since all the rest we have in a manner in common with them—temples, sanctuaries, altars, purifications and certain precepts."³⁹

In Julian's conception of a revived paganism, sacrifice was to be the central act; and in seeking to underline the actual or potential compatibility of Judaism and paganism he offers what may be one of the very few attested observations of contemporary Judaism by a (now) pagan observer. For just before the passage quoted above he asserts that sacrifice is not entirely absent from Judaism even now:

No doubt some sharp-sighted person will answer, “The Jews too do not sacrifice.” But I will convict him of being terribly dull-sighted, for in the first place I reply that neither do you (the Christians) observe any one of the other customs observed by the Jews; and, secondly, that the Jews do sacrifice in their own houses(?), and even to this day everything that they eat is consecrated; and they pray before sacrificing, and give the right shoulder to the priests as the first-fruits; but since they have been deprived of their temple, or, as they are accustomed to call it, their holy place, they are prevented from offering the first-fruits of the sacrifice to God.⁴⁰

What exactly Julian means to refer to here is not immediately obvious; for it seems certain that no regular sacrifices, conducted by priests on an altar, persisted, or even could have persisted, after the destruction of the Temple.⁴¹ The inability of the Jews to sacrifice without a Temple is remarked on frequently by Christian authors, with considerable complacency,⁴² and represented of course the central reason for Julian’s proposed restoration. The most likely explanation, as William Horbury has pointed out to me, is that Julian is thinking of the eating of the Paschal Lamb, as conducted by Jews in their houses—if *en adraktois* is the right reading, and if that is what it means. For the Pesach meal really does embody a direct transference into a domestic context of an element derived originally from the Passover sacrifice in the Temple.⁴³ If what Julian says here is indeed an observation, and an accurate one, the fact is worth some emphasis. For as we have seen, there is almost nothing to suggest that contemporary paganism was marked by curiosity about Judaism; while, as we shall see in more detail below, such attention as Christians ever paid to the realities of the Judaism occupying the same space and time as themselves is shown mainly in two contexts: in legislation of an increasingly repressive kind, and in records of assaults on Jewish synagogues.

Julian’s *Against the Galileans* remains by far the most explicit reflection deriving from this period on the interrelations and contrasting histories and values of the three religions. Only Augustine’s *City of God* might challenge comparison within in this respect (see text following n. 71 below). But Julian owed his capacity to enter as a pagan into the nature of the Judaeo-Christian tradition to his own upbringing as a Christian. It is in that sense that, as a pagan, he must count as the exception proving the rule. Moreover, although he did note also other features of contemporary Judaism, such as

mutual Jewish charity,⁴⁴ the Judaism which most deeply attracted him was one which no longer existed, and which, whether by divine intervention or not, he proved unable to revive.

Fourth-Century Judaism

Various sources allege⁴⁵ that Julian's initiative had been greeted with great enthusiasm by the Jews of the diaspora, who rushed to participate in the rebuilding of the Temple. That may indeed be so, but our greatest difficulty in trying to map the broad lines of the interrelations of paganism, Judaism, and Christianity in this period is precisely that there is so little testimony by Jews which, explicitly or implicitly, looks outwards to the great conflicts and fundamental changes which were taking place around them. As David Rokeah has argued for a slightly earlier period,⁴⁶ the religious debates between Christians and paganism involved Judaism; but the Jews are not known to have participated explicitly. Although our topic is the Judaism of the diaspora, we ought not necessarily to exclude the "rabbinic" literature of Palestine. For, firstly, the question of the relations or non-relations of Palestinian Judaism to the diaspora is precisely one of the large open issues which remain to be decided. And, secondly, the Jewish community of the Holy Land itself lived in a Graeco-Roman world from which pagan practises had by no means disappeared, and which was also increasingly invaded by Christian churches and congregations, as well as by streams of curious and devout pilgrims.⁴⁷ One of these was Jerome; and it is unfortunate in the context of an enquiry about diaspora Judaism that, of all the Christian writers of this period, the one who engaged in much the most active exchanges with Jewish teachers did so in the Holy Land; none the less, one clear revelation of his reports of these exchanges is that the "rabbinic Judaism" of the Holy Land was itself a bilingual activity which could be described and expressed in Greek (see text to nn. 76–77 below).

By contrast, as the long and fruitless debate as to whether the *minim* mentioned in rabbinic writings were or were not Christians itself shows that explicit observation of other religious systems is not a prominent feature of these works.⁴⁸ So, for instance, the tractate *Avoda Zarah* in the Jerusalem Talmud, like the tractate of the Mishnah on which it comments, is not about the nature of pagan worship, but about how to conduct a Jewish life in a largely pagan context. It is very interesting indeed to see how entirely pagan is the context from

whose impurities protection was deemed to be necessary, whether it was the presence of idols, or the question of buying goods sold at a pagan fair.⁴⁹ Even the impact of pagan imagery and popular tradition makes itself felt: “Said R. Jonah: ‘When Alexander of Macedon wanted, he could swing upward, and he would go up. He travelled upward until he saw the world as a sphere and the sea as a dish. That is why they represent the world as a sphere in the hand [of an idol].’”⁵⁰ The reader would find it difficult to guess, reading this work, that in the contemporary Holy Land there were churches, bishops, and Christian congregations. Nor is the wider history of the time more than subliminally visible, though Neusner has argued that the rabbinic works of this period do show, under the unspoken influence of Christianity, a concern with history which had been absent from the Mishnah.⁵¹ Talmudic writings contain no more than a couple of oblique references to Julian’s project to rebuild the Temple.⁵² Diocletian on the other hand achieves a higher profile; for instance the terms of his persecution are presented as one possible reason out of several why Samaritan wine was considered unclean: “When Diocletian the King came up here, he issued a decree, saying: ‘Every nation must offer a libation, except the Jews.’ So the Samaritans made a libation. That is why the sages prohibited their wine.”⁵³ The late Roman Holy Land, with its separate religious communities, Christian, of various persuasions, pagan, Jewish, and Samaritan—mutually hostile but necessarily inhabiting neighbouring streets and fields—would offer a fascinating study. And the “rabbinic” literature of the Jewish community there might also in principle offer one window on the life of the Jewish diaspora overseas; except that even bare allusions to identifiable places beyond the borders of the Holy Land are very few.⁵⁴ And, moreover, the criteria for the historical study of this material have not yet been established.

It would of course be still more illuminating if the communities of the diaspora of this crucial period had left evidence through which they could speak for themselves. Was the Mishnah known to and used by them too? Did their rabbis prepare commentaries on it? Did they indeed have rabbis at all? Or are we speaking (notionally) of a quite different Judaism, necessarily that of a significant proportion of the Jewish people at that time, of which however all real trace has disappeared? For if the Judaism of the diaspora in this period did produce any literature, it has been entirely lost. A survey of ancient Jewish literature, in all genres and in whatever language, produces not a single case of a Jewish work which is known to have been

written in the diaspora between A.D. 312 and 440.⁵⁵ It has indeed been boldly asserted that the late Roman work in Latin called *Collatio legum Mosaicarum et Romanarum*, a not very perceptive comparison of Jewish and Roman law as applied to a number of separate issues, was written by a Jew living in Rome in the second half of the fourth century.⁵⁶ Anything is possible: but it is necessary to underline just how isolated such a work, if really Jewish, would then seem.

If the Judaism of the diaspora can speak for itself at all, it is only through the physical remains of its synagogues, some of which have been discussed above; its inscriptions, whether from synagogues or tombs, or isolated; and occasional papyri. But of the known papyri written in Hebrew characters only the *ketubba* of A.D. 417, mentioned above, is securely dated.⁵⁷ This is not the place to attempt to analyse all the documentary evidence for the diaspora which dates, or may date, to this period.⁵⁸ But it may be worth returning to one question: were there rabbis in the late Roman diaspora? The evidence consists firstly of references to persons, like the *hiereus* and *sophodidaskalos* from Sardis (see text following n. 17 above), who are recorded on inscriptions in terms which suggest a role or function comparable to that of a rabbi. Then there are the people described in the undatable Jewish epitaphs of Rome as *nomomath* ⲛⲓⲙⲟⲙⲁⲧⲏⲥ, “learned in the Law,”⁵⁹ or *math* ⲙⲁⲧⲏⲥ *t* ⲧⲁⲥⲱⲡⲏⲥ *soph* ⲥⲟⲫⲏⲥ, “disciple of the wise.”⁶⁰ The actual term “rabbi” is also attested on inscriptions.⁶¹ For instance, it appears on an enigmatic and isolated graffito of the mid-fourth century from Cyrene,⁶² which reads either “Lord, help the rabbi” or “Help, Lord of the rabbi.”⁶³ A “prayer of Rabbi Attikos” (*euch* ⲉⲩⲁⲧⲏⲥ *rabb* ⲣⲁⲃⲏⲥ *Attikou*) is also recorded on a third-century inscription from Cyprus.⁶⁴ But the term also appears in Italy, perhaps first in an inscription of the fourth century from Brusciano near Naples; it begins with the word *shalom* written in Hebrew and is adorned with a shofar, menorah, and palm branch. The Latin text reads “Here lies Rabbi Abba Maris the honoured one.”⁶⁵ A similar mixture of (rather more extensive) Hebrew and Latin appears on the epitaph of a Jewish girl from Venosa (Venusia) for whom mourning was said by “two *apostuli* and two *rebbites*.”⁶⁶ If *apostuli* has the normal meaning of *apostoli*, emissaries of the patriarch, the inscription would both confirm the patriarch’s influence in Italy (text to n. 3 above) and (presumably) date from before the *excessus* (cessation?) of the patriarchs which is alluded to in a law of 429.⁶⁷ But nothing serves to date the epitaph of the “daughter of Rabbi Abundantius” (*filia Rebbitis Abundanti*) found at Salerno in Italy,⁶⁸ or the Latin inscription from Emerita (Mérida) in Spain

mentioning *Rebbi Se[nior]* and *Rebbi Ja[cob]*, which is probably medieval.⁶⁹ From Volubilis in Mauretania Tingitana, where a Greek inscription of the third century confirms that there was a “*synagōgē* of the *Ioudeoi*,” a Hebrew inscription which may be of the fourth century reveals a daughter of a Rabbi, M ^T RWN' BT RBY YHWDH N ^H.⁷⁰ Few as they are, these inscriptions are invaluable, because they are firmly located in space, if less so in time. Through them, as through the inscription of 383 from Catania (text to n. 1 and following above), the late Roman diaspora does speak. They tend to confirm the importance there too of the study of the Law, the gradual revival of Hebrew, and the coming into currency of the term *rabbi*—or rather *rebbi*, now treated as a Latin word which can be declined and given a genitive (*rebbitis*) and a plural (*rebbites*). But there our strictly Jewish evidence, so far as I can determine, stops. New evidence may one day enable the diaspora of the late Roman world to speak for itself. But so far it does not.

The Christians and Judaism

If we want to know more of the late Roman diaspora, we have no choice but to see it through Christian eyes, with all the problems that that entails. The first problem in fact is whether or to what extent Christian writings allow us to see the actual contemporary diaspora at all, as opposed to that Judaism which Christians took as being revealed to them by the Bible. For the claims of Christianity to the inheritance of the Old Testament, to the right to see the fundamental message of the Old Testament as having been the foretelling of Christ, to the assertion that Christ had indeed been the Messiah foretold, and to the status of being the “true Israel”⁷¹ all meant that Judaism was integral to Christian writing. If we look for Jews and Judaism in the overwhelming mass of the Christian writing of the period, in Greek and Latin, we shall find too much. If Jewish writing (all from the Holy Land) paid little overt attention to Christianity (though rather more to problematic features of paganism as it affected normal life), while pagan writers, Julian excepted, paid almost no attention to Judaism, Christian writers amply make up for the averted gaze of their neighbours by the centrality of Judaism for them, and (more rarely) by extensive critiques of paganism. Augustine’s *City of God* of course displays both features: in books 1–7 a devastating analysis of the internal contradictions of Roman paganism, and in 15–18 an obsessive demonstration of the underlying Christian message of the Old

Testament.

Christian critiques of paganism are not our concern here, though actual Christian measures against paganism certainly are, for the evolving position of the Jews can be best seen in relation to them. But the central problem is how to use the vast mass of Christian writing as historical evidence for the Judaism and the Jewish communities of the period. For this problem to be addressed properly, it would be necessary to consider the whole of the Christian literature of the period, and its relation to Jews and Judaism, distinguishing (a) confrontations with Judaism as a timeless system whose features are determined by the Old Testament; (b) apparent attributions of beliefs and attitudes to contemporary Jews; (c) apparent reports of contemporary Jewish customs; (d) reports or descriptions of actual episodes, dated and located in space. These last, while they may well still retain highly tendentious features, must inevitably be the most promising material on which a historian can work. They may be considered along with the legislation of the Christian emperors relating to Jews and Judaism, all of it collected, translated, and discussed in exemplary fashion by Linder.⁷² For it was, paradoxically, in the shape of legislation of an increasingly repressive kind that Christians of the period most fully revealed a detailed attention to the realities of contemporary Jewish life, of a sort which it is a major labour to find in their theological literature.

What follows is not claimed to be the result of the type of systematic analysis of Christian literature adumbrated above, an enterprise from time to time attempted in part,⁷³ but never carried through in full. It merely offers some examples of the types of material which Christian literature presents, and of the problems to which it gives rise. I ignore here, of course, all of the general and timeless characterisations of Judaism as a religion, which are integral to Christian writing, and turn instead to apparent attributions of belief to contemporary Jews. For instance, two extraordinarily powerful evocations of Jewish messianic and apocalyptic beliefs are presented by Jerome in his commentaries on the minor prophets. Firstly, writing in the 390s on *Zephaniah* 3:8–9, he says:

This the Jews interpret as relating to the advent of the Christus whom they hope will come, and say that when all the nations have been gathered together, and the wrath of the Lord has been poured forth upon them, the world is to be consumed in the fire of his anger. And just as it was before the building of the tower (of Babel), when all

peoples spoke a single tongue, so, when all have turned to the worship of the true God, they will speak Hebrew, and the whole world will serve the Lord.⁷⁴

In the middle of the next decade, in his *Commentary on Zachariah*, Jerome gives a rather different, and perhaps even more vivid, account of Jewish (and Judaeo-Christian) expectations of the end of time:

The Jews and judaising Christians promise themselves at the end of time the building-up of Jerusalem, and the pouring forth of waters from its midst, flowing down to both seas. Then circumcision is again to be practised, victims are to be sacrificed and all the precepts of the laws are to be kept, so that it will not be a matter of Jews becoming Christians but of Christians becoming Jews. On that day, they say, when the Christus will take his seat to rule in a golden and jewelled Jerusalem, there will be no more idols nor varieties of worship of the divinity, but there will be one God, and the whole world will revert to solitude, that is to its ancient state.⁷⁵

This passage is very notable in that the expectations attributed to Jews and judaising Christians embrace both Christians and pagans, as well as a full-scale restoration of the Temple cult. But the specific idea, present in the earlier passage, that all survivors of the Day of Judgement will speak Hebrew, makes no appearance. It seems impossible to tell whether Jerome has derived these two visions from different Jewish interlocutors in Bethlehem, and if so, whether either or both might have found subscribers in the diaspora—or whether he has been carried away by his all-too-fluent command of rhetoric.

What is of course certain is that he did engage in serious exchanges with rabbis in the Holy Land⁷⁶ and can report in detail on precisely that world of rabbinic scholarship and exegesis which was just then producing the Jerusalem Talmud. Thus in Letter 121, written from Bethlehem in 405, he can report that the *traditiones* (doctrines) of the Pharisees are now called (in Greek) *deuter* *seis* (repetitions), and that Jewish teachers (*magistri*, *sapientes*, or—in Greek—*sophoi*) would give rulings on questions such as the Sabbath limits. The teaching of the “wise,” taking place on fixed days, could be described in a set Greek terminology: “the *sophoi deuterousin*”—“the *sapientes* teach the *traditiones*.” Similarly, in his *Commentary on Habbakuk*⁷⁷ he records approaching a Jew at Lydda “who among them was called *sapiens* and *deuter* *t eis*.” It seems clear that his Jewish contacts could and did explain the system to him in Greek. The question of how profound, if profound at all, was the gulf between the Holy Land and the diaspora

presents itself once again. Fifteen years later, Augustine, writing his *Against an Adversary of the Law and the Prophets* at Hippo in North Africa, could also note that Jewish teaching of unwritten traditions was called *deuter ̄sis*:⁷⁸ had he learned this at second hand, or from personal observation there? He himself records that his fellow bishop at Oea in Tripolitania had been forced by violent reactions among his congregation, especially the Greeks, when faced with a controversial reading in Jonah, to ask the local Jews what reading there was in their *Hebraei codices*.⁷⁹ Is it possible that the Hebrew Bible really existed there in codex (i.e., book) form rather than in scrolls? But in fact Jerome, replying to Augustine on this point, quietly corrects him, and speaks of the reading to be found “in the *volumina* [scrolls] of the Jews.”⁸⁰ Equally suggestive is Jerome’s report of how in Rome in 384 he was given some *volumina* by a “Hebraeus” who had borrowed them from a synagogue with the intention of reading them—*quasi lecturus*.⁸¹ In this case *volumina* clearly does mean scrolls, for Jerome has to unroll one of them to read the relevant passage—*volumen Hebraeum replico*.⁸² We need not doubt that there was at least one synagogue, as a recognisable building, in Rome, for under the rule of the usurper Maximus (383–88) it was burned down, evidently by Christians.⁸³ The report of a synagogue functioning also as a sort of lending library, and thus contributing to intellectual dialogue with Christians, adds a different element to the picture.

As is well known, such day-to-day contacts and mutual influences are also very well attested in the 380s at the other end of the Mediterranean, at Antioch. For they are the subject of the sermons delivered there by John Chrysostom as presbyter in 386–87.⁸⁴ His sermons, though inevitably hostile in tone, are not directed against the Jews of Antioch as such, but against Christians from his congregation who allowed themselves to be drawn into participating in the Jewish festivals, both the season of High Festivals—New Year with its trumpets, the Day of Atonement, and Tabernacles—in the autumn, and Passover in the spring. We should not miss the significance of this evidence that the annual cycle of festivals was indeed observed by the synagogue community of Antioch, and in such a way as to attract the attention, favourable or hostile, of their Christian neighbours.⁸⁵ Chrysostom reverts several times to the destruction of the Temple, to the consequent Jewish inability to sacrifice, and to the failure of Julian’s attempt to restore it. But the attractions of Judaism are strong—partly because the synagogues were revered as the place where the Law and the Prophets were kept.⁸⁶ Catholic Christianity was still

threatened on all sides: “here we are fighting not only against Jews but against the pagans and many heretics.”⁸⁷

The sense of danger and rivalry which Chrysostom expresses here was however already in the course of being answered by appropriate imperial action. The reign of Theodosius I (379–95) had begun with an emphatic assertion of the sole legality of the Catholic Church.⁸⁸ Thereafter all non-Catholic forms of Christianity were to suffer progressive disability and oppression on the part of the state. Action against the pagan cults followed more slowly and, in many places, was preceded and stimulated by local Christian violence, led by bishops and often carried out by bands of monks. Just as Chrysostom was delivering his warning sermons, his fellow citizen of Antioch, Libanius, was addressing his *Oration 30: On Behalf of the Temples*, to Theodosius: surely imperial orders, however repressive of the pagan cults, had never authorised the physical destruction of the temples, such as was now being witnessed in the East? They had indeed not done so; but within a few years orders prohibiting all forms of sacrifice or pagan cult practices did follow.⁸⁹ If the actual destruction of temples was still not specifically ordered, it was none the less just at this time (391) that imperial agents and local Christians, acting together, destroyed the great temple of Serapis in Alexandria. Similar acts of destruction followed elsewhere, following an irregular rhythm largely dictated by local Christian initiatives. If it was imperial agents who destroyed temples in Carthage in 399,⁹⁰ it was the initiative taken by Porphyry, bishop of Gaza, which led to the destruction of all the temples there in the first years of the fifth century, and to the use of stones from the temple of Marnas to pave the courtyard of a new church.⁹¹

The fundamental change in the religious climate which began in the 380s is the essential background which must be borne in mind if we are to understand the very significant but in many ways less drastic change which affected the Jewish communities of the empire in the same period. The change is most clearly visible in imperial legislation; given the excellent collection, translation, and analysis of the texts by Linder,⁹² we may keep to the essentials. Before this period imperial attention to the position of the Jews had been largely directed to two issues: preventing the ownership, or at any rate the conversion and circumcision, of Christian slaves by Jews; and defining the limited number and nature of Jewish community officials who could enjoy exemption from service on town councils. The emperors

at various times defined these officials as *patriarchae* (see text to n. 2 above), *presbyteri*, *hiereis* (priests), *archisynagogi*, and *patres synagogarum*,⁹³ thereby, as mentioned earlier, expressing an awareness of day-to-day Jewish community life which is not so evident in other contexts. The earliest of these pronouncements, dating to A.D. 321, is simultaneously the earliest evidence for the existence of an established Jewish community in Cologne.⁹⁴

In the 380s, however, new themes begin to come in. In 383, for instance, the emperors Gratian, Valentinian, and Theodosius declared the confiscation of the property of Christian converts to paganism, Judaism, or Manichaeism,⁹⁵ perfectly reflecting the anxieties which Chrysostom was to express three years later. Judaism itself, however, was at all times stated to be legal, for Jews. Thus in 393 Theodosius and his sons, Arcadius and Honorius, wrote to the *comes* of the Orient as follows:

It is sufficiently established that the sect of the Jews is prohibited by no law. We are therefore gravely disturbed by the interdiction imposed in some places on their assemblies. Your Sublime Magnitude shall, upon reception of this order, repress with due severity the excess of those who presume to commit illegal deeds under the name of the Christian religion and attempt to destroy and despoil synagogues.⁹⁶

The emperors were clearly in this instance trying to stem the tide of popular Christian feeling, as they did again in relation to Illyricum in 397.⁹⁷ There are however also signs of an opposing current of popular action, from the Jewish side: in 408 Honorius and Theodosius II banned the celebration of Purim by the mock crucifixion of a Haman figure as a deliberate insult to neighbouring Christians.⁹⁸ The ban seems to reflect episodes like the one of a few years later at Inmestar in Syria, between Antioch and Chalcis, when Jewish villagers were reported to have crucified a Christian boy as a deliberate act of mockery, and hence became involved in clashes with the local Christians.⁹⁹ In 408 also, the emperors took measures against the disturbance of Catholic services by Donatists, heretics, Jews, or pagans.¹⁰⁰ But one of the most significant continuing themes in imperial legislation is the (sometimes half-hearted) restraint on the destruction or seizure of synagogues and their contents by local Christians, accompanied by repeated statements of a ban on the construction of new synagogues. A pronouncement of Honorius and Theodosius II dating to 423 will best express the complexities of the

situation:

It seems right that in the future none of the synagogues of the Jews shall either be indiscriminately seized or put on fire. If there are some synagogues that were seized or vindicated to churches or indeed consecrated to the venerable mysteries in a recent undertaking and after the law was passed, they shall be given in exchange new places, on which they could build, that is, to the measure of the synagogues taken. Votive offerings as well, if they are in fact seized, shall be returned to them provided that they have not yet been dedicated to the sacred mysteries; but if a venerable consecration does not permit their restitution, they shall be given the exact price for them. No synagogue shall be constructed from now on, and the old ones shall remain in their state.¹⁰¹

The other significant theme was the succession of pronouncements banning Jews (and Samaritans—and later also pagans) first from the imperial service (*militia*), then from advocacy; finally, in 438 Jews and Samaritans were also barred from all *honores* and *dignitates*, apparently meaning offices held in cities.¹⁰² Throughout, none the less, it is never implied that Judaism is itself illegal, if practised by Jews, or that synagogues do not have the protection of the law. However, that protection, as expressed in 433, might be limited and retrospective. It is moreover highly significant, as Linder points out, that Judaism, which had earlier been described as a *religio*, became in 416, and after, a *superstitio*.¹⁰³ The vocabulary of imperial rhetoric reflects a fundamental shift of attitudes.

All the issues sketched in this paper come together in the account by the local bishop, Severus, of how in 417 or 418 the well-established Jewish community of one of the two towns on Minorca was converted under the threat of mass violence, and its synagogue destroyed and turned into a church. The account, printed twice in Migne,¹⁰⁴ and excellently discussed by Hunt, and now by Bradbury,¹⁰⁵ need only be touched on here. Its importance in this particular context lies not so much in its narrative of the sequence of events, vivid and moving though that is, as in its revelation of the scale, organisation, and public standing of the local Jewish community as it had been up to that point.

The Jewish community of the small town of Mago consisted of at least 540 persons, and possessed a synagogue situated in the town, containing silver vessels and “sacred books” (*libri sancti*). The leading figure of the community, Theodorus, is described as having held all

the offices within the town council (*curia*), and as *defensor* and *patronus* of his fellow citizens (*municipes*); he owned property also on the neighbouring island of Majorca. Within the community he functioned as a *legis doctor* (teacher of the law), surely (cf. above) yet another reference to a “rabbinic” role. It must be relevant that Jerome uses the same expression, *legis doctor*, to describe the learned Jew from Tiberias who in the late 380s helped him with the proper names in Chronicles.¹⁰⁶ Severus, however, notes that Theodorus’ formal title in the Jewish community was *pater patrum* (father of the fathers). We meet also other leading figures, with a mixture of Hebrew, Greek, and Latin names (Ruben, Meletius, Innocentius, Galilaeus, Caecilianus, Florinus, Arthemisia) typical of a late Roman Jewish community. Meletius turns out to be versed in both Greek and Latin literature.

The conversion of this entire community to Christianity was inspired by the bringing to the island of relics of Saint Stephen and began with a march in procession to Mago from the other town, Iammo, where there were no Jewish inhabitants. On arrival at Mago they invited the Jewish leaders to a debate and then advanced on the synagogue singing hymns, to be met with stones hurled down on them by Jewish women. The studiously self-righteous narrative cannot conceal the fact that in the face of this mass threat the Jews retreated, and the Christians occupied the synagogue and burned it down. The silver ornaments were returned to the Jews, but the *libri sancti* removed, allegedly to protect them from the Jews themselves (*ne apud Iudaeos iniuriam paterentur*).

Three days later a debate began on the site of the ruined synagogue, before a large crowd of Christians; then step by step there followed the conversion of each of the *primarii* (leading men) of the Jewish community in turn. Seventeen days after leaving Iammo the Christians were able to return in triumph. When Easter was celebrated, 540 souls had been added to the Christian congregation. One final demonstration of their new faith was required: the foundations of the synagogue were dug up, and for the construction of the new basilica which was to rise in its place, the converted Jews not only contributed funds but carried stones on their shoulders.

This episode, far from the only one of its kind attested in this period,¹⁰⁷ serves to make very clear the background of local Christian pressure on other religious groups against which contemporary emperors were issuing their pronouncements. There had indeed been a profound change of mood against the earlier period, which might

well be seen as an exceptionally favourable one for the Jewish diaspora, when no other religious group could claim a secure dominance. Yet even this later period should not be seen as one of systematic persecution;¹⁰⁸ there is moreover ample evidence of Jewish communities throughout the Roman world in the fifth and sixth centuries.¹⁰⁹ There was, however, a significantly increased danger of mob violence on the part of Christians, and the legal status and the rights of Jews were substantially reduced. But the right to practise their religion remained in principle and, often precariously, in fact. It is something of a paradox that along with the archaeological and documentary evidence, it is precisely the increasingly repressive legislative pronouncements of the emperors on the one hand and Christian records of their own hostile measures on the other which give us the best hope of recapturing the reality of a distinctive phase in Jewish history. Its beginnings are obscure, but we might see it as going back to the second century, and as coming to a sort of fruition in the fourth. That is to say that the evidence, scattered and disparate as it is, suggests that the period of unresolved tensions between pagans and Christians may have been a relatively favourable and prosperous one for the settled Jewish communities of the Graeco-Roman diaspora. If so, then what we can dimly perceive is quite a significant chapter in the communal and religious history of the Jewish people. That it has been on the whole a neglected chapter makes the many remaining questions about the nature of Judaism in the late Roman diaspora all the more important.

Notes

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1. J.-B. Frey, *Corpus Inscriptionum Judaicarum* I, ed. B. Lifshitz (1975), no. 650; *AE* (1984), no. 439; D. Noy, *Jewish Inscriptions of Western Europe* I (1993), no. 145. Given the importance of the epigraphic evidence from the diaspora, note the publication in 2004 of the three volumes of *Inscriptiones Judaicae Orientis* I: *Eastern Europe*,

ed. D. Noy, A. Panyatov, and A. Bloedhorn; II: *Kleinasien*, ed. W. Ameling; III: *Syria and Cyprus*, ed. D. Noy and H. Bloedhorn. The corpus is abbreviated as *IJudO*; cross-references are entered below.

2. *Cod. Theod.* 16, 8, 8 = A. Linder, *The Jews in Roman Imperial Legislation* (1987), no. 20.

3. *Cod. Theod.* 16, 8, 14 = Linder (n. 2), no. 30.

4. E.g., *Cod. Theod.* 16, 8, 1–2 = Linder (n. 2), nos. 8–9, A.D. 329–30; 16, 8, 13 = Linder (n. 2), no. 27, A.D. 397.

5. V. Colorni, “L’uso del greco nella liturgia del giudaismo hellenistico e la Novella 146 di Giustiniano,” *Annali di Storia del Diritto* 8 (1964): 19.

6. Jerusalem Talmud, *Sota* 7.21b; Schürer, Vermes, and Millar, *History* III.1, 142.

7. C. Sirat, P. Caudelier, M. Dukan, and M. A. Friedman, *La Ketouba de Cologne: un contrat de mariage juif à Antinoopolis* (1986).

8. Colorni (n. 5), 73ff.

9. M. D. Goodman, *State and Subject in Roman Galilee, A.D. 135–212* (1983), 111ff.

10. Schürer, Vermes, and Millar, *History* III.1, 67–68. See *IJudO* I, 56ff., no. Mac1.

11. J. C. Balty, *Guide d’Apamée* (1981), 139ff.; Janine Balty, *Mosaïques d’Apamée* (1986), 6ff. See now *IJudO* III, 84ff., nos. Syr53–71.

12. J. Napoleone-Lemaire and J. C. Balty, *L’église à atrium de la grande colonnade* (1969).

13. C. H. Kraeling, *Gerasa, City of the Decapolis* (1938), 234–41, 318–24, 483ff.; inscriptions, nos. 323–25.

14. A. R. Seager and A. T. Kraabel, “The Synagogue and the Jewish Community,” in G. M. A. Hanfmann, *Sardis from Prehistoric to Roman Times* (1983), chap. 9; Schürer, Vermes, and Millar, *History* III.1, 21–22.

15. L. Robert, *Nouvelles inscriptions de Sardes* I (1964), 37–58.

16. J. H. Kroll, “The Greek Inscriptions of the Sardis Synagogue,” *Harv. Th. Rev.* 94 (2001): 5. See now *IJudO* II, 209ff., nos. 53–145.

17. J. Reynolds and R. Tannenbaum, *Jews and Godfearers at Aphrodisias* (1987), 48ff.

18. Not to speak of Samaritan ones, see A. D. Crown, “The

Samaritans in the Byzantine Orbit,” *Bulletin of the John Rylands University Library of Manchester* 69 (1986): 96–138; A. M. Rabello, *Giustiniano, Ebrei e Samaritani I* (1987).

19. M. Rostovtzeff, *Dura-Europos and Its Art* (1938); C. H. Kraeling, *The Excavations at Dura-Europos. Final Report VIII.2: The Christian Building* (1967); C. H. Kraeling, *The Excavations at Dura-Europos. Final Report VIII.1: The Synagogue* (1965; revised with additions, 1979); J. Guttman, ed., *The Dura-Europos Synagogue: A Re-evaluation* (1973).

20. Philo, *Flacc.* 41–52.

21. R. Krautheimer, “The Constantinian Basilica,” *Dumbarton Oaks Papers* 21 (1967): 115; R. Milburn, *Early Christian Art and Architecture* (1988), 83ff.

22. E.g., A. Alföldi, *The Conversion of Constantine and Pagan Rome* (1948); R. MacMullen, *Christianising the Roman Empire* (1984); T. D. Barnes, “Christians and Pagans in the Reign of Constantius,” *L’église et l’empire au IV^e siècle* (Entretiens Hardt 34, 1989), 301.

23. Eusebius, *Life of Constantine* 4, 55–56.

24. Eusebius, *Life of Constantine* 4, 54.

25. Eusebius, *Life of Constantine* 2, 45; *Cod. Theod.* 16, 10, 1ff.

26. Jerome, *Life of Hilarion* 20.

27. The evidence is collected by G. Fowden, “Bishops and Temples in the Eastern Roman Empire,” *JThSt* 29 (1978): 53.

28. See the important paper by Barnes (n. 22).

29. Theodoret, *Church History* 3, 3.

30. Sozomenus, *Church History* 5, 10.

31. *Cod. Theod.* 16, 8, 1 = *Cod. Just.* I, 9, 3 = Linder (n. 2), no. 8; *Const. Sirmond.* 4 = *Cod. Theod.* 16, 8, 5; 9 = Linder (n. 2), no. 10.

32. Edited by des Places (1966).

33. Edited by Nock (1926).

34. Well surveyed by R. L. Wilken, *The Christians as the Romans Saw Them* (1984).

35. L. Troiani, *Commento storico al “contro Apione” di Giuseppe* (1977).

36. See, e.g., G. W. Bowersock, *Julian the Apostate* (1978); P. Athanassiadi-Fowden, *Julian and Hellenism: An Intellectual Biography* (1981).

37. See F. Blanchetière, “Julien. Philhellène, Philosémite,

Antichrétien. L'affaire du Temple de Jerusalem (363)," *Journ. Jew. Stud.* 31 (1980): 61.

38. See Wilken (n. 34), chap. 7.

39. *Against the Galileans* 306 B, Loeb trans.

40. *Against the Galileans* 305D–306A, Loeb trans.

41. A. Guttman, "The End of the Jewish Sacrificial Cult," *Hebrew Union College Annual* 38 (1967): 137.

42. E.g., Eusebius, *Dem. Ev.* 1, 3; Augustine, *Tractatio adversus Iudaeos* 9–12.

43. See N. R. M. de Lange, *Origen and the Jews: Studies in Jewish-Christian Relations in Third-Century Palestine* (1976), 168ff., and the review by W. Horbury in *JThSt* 30 (1979): 324.

44. Julian, *Ep.* 22, Loeb; Stern, *Greek and Latin Authors* II, no. 482.

45. M. Avi-Yonah, *The Jews under Roman and Byzantine Rule* (1984), 193–94.

46. D. Rokeah, *Jews, Pagans and Christians in Conflict* (1982).

47. E. D. Hunt, *Holy Land Pilgrimage in the Later Roman Empire, A.D. 312–460* (1982).

48. M. Simon, *Verus Israel: études sur les relations entre Chrétiens et Juifs dans l'empire romain (135–425)²* (1964; English trans., *Verus Israel*, 1986), chap. 7.

49. Jerusalem Talmud, *Avoda Zarah* 1.4.

50. Jerusalem Talmud, *Avoda Zarah* 3.1, trans. J. Neusner.

51. J. Neusner, *Judaism and Christianity in the Age of Constantine: History, Messiah, Israel and the Initial Confrontation* (1987).

52. Avi-Yonah (n. 45), 197–98.

53. Jerusalem Talmud, *Avoda Zarah* 5.4, trans. J. Neusner.

54. A. Neubauer, *La Géographie du Talmud* (1868), seems to be the only available survey.

55. Schürer, Vermes, and Millar, *History* III.1.

56. L. Cracco-Ruggini, "Tolleranza e intolleranza nella società tardoantica: il caso degli ebrei," *Richerche di storia sociale e religiosa* 23 (1983): 33.

57. C. Sirat, *Les papyrus en caractères hébraïques trouvés en Égypte* (1985).

58. It is surveyed, on geographical basis, in Schürer, Vermes, and Millar, *History* III.1, 1–88.

59. Frey (n. 1), no. 333.
60. Frey (n. 1), no. 508.
61. S. J. D. Cohen, "Epigraphic Rabbis," *JQR* 72 (1981–82): 1.
62. *SEG* XXXI, no. 1578G.
63. P. W. van der Horst, "Lord, Help the Rabbi: The Interpretation of *SEG* XXX 1578b," *JJS* 38 (1987): 102.
64. Frey (n. 1), no. 736.
65. E. Miranda, "Due iscrizioni greco-giudaiche della Campania," *Riv. Arch. Cr.* 55 (1979): 337 = *SEG* XXIX, no. 968 = Noy (n. 1), no. 22.
66. Frey (n. 1), no. 611 = Noy (n. 1), no. 86.
67. *Cod. Theod.* 16, 8, 29 = Linder (n. 2), no. 53.
68. Frey (n. 1), no. 568 = Noy (n. 1), no. 36.
69. Frey (n. 1), no. 665a; see Noy (n. 1), no. 197, dating it to the eighth to ninth century.
70. Y. Le Bohec, "Inscriptions juives et judaïsantes de l'Afrique romaine," *Antiquités Africaines* 17 (1981): 165, nos. 79–80.
71. The *Verus Israel* of the fundamental work of Simon (n. 48).
72. Above n. 2.
73. S. Krauss, "The Jews in the Works of the Church Fathers," *JQR* 5 (1892): 122; see also especially S. J. D. Cohen, "Pagan and Christian Evidence on the Ancient Synagogue," in L. I. Levine, ed., *The Synagogue in Late Antiquity* (1987), 159.
74. *CCL* LXXVIA, 700.
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76. J. N. D. Kelly, *Jerome: His Life, Writings and Controversies* (1975), esp. chaps. 14–15.
77. 1, 2, 15/17, *CCL* LXXVIA, 610.
78. *PL* XLII, 637.
79. *Ep.* 71, 5.
80. *Aug., Ep.* 75, 22.
81. *Aug., Ep.* 36, 1.
82. *Aug., Ep.* 36, 13.
83. Ambrose, *Ep.* 40, 25.
84. R. L. Wilken, *John Chrysostom and the Jews* (1983); translation and commentary on the discourses by P. Harkins, *Saint John*

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85. A. M. Rabello, "L'osservanza delle feste ebraiche nell'impero romano," *Scripta Classica Israelica* 6 (1981–82): 57.

86. *Discourse* 1, 5, 2.

87. *Discourse* 7, 3, 3, trans. Harkins (n. 84).

88. *Cod. Theod.* 16, 1, 2 (380) and 3 (381).

89. *Cod. Theod.* 16, 10, 10, A.D. 391; 12, 392.

90. Augustine, *City of God* 18, 54.

91. The story is told in the biography of Porphyry by Mark the Deacon, edited by H. Grégoire and M. A. Kugener (1930).

92. Linder (n. 2).

93. E.g. *Cod. Theod.* 16, 8, 2 and 4 = Linder (n. 2), no. 9, of A.D. 330.

94. *Cod. Theod.* 16, 8, 3 = Linder (n. 2), no. 7.

95. *Cod. Theod.* 16, 7, 3 = Linder (n. 2), no. 16.

96. *Cod. Theod.* 16, 8, 9, trans. Linder (n. 2), no. 21.

97. *Cod. Theod.* 16, 8, 12 = Linder (n. 2), no. 25.

98. *Cod. Theod.* 16, 8, 18 = Linder (n. 2), no. 36.

99. Socrates, *Church History* 7, 16.

100. *Const. Sirmond.* 14 = Linder (n. 2), no. 38.

101. *Cod. Theod.* 16, 8, 2, trans. Linder (n. 2), no. 47.

102. Theodosius, *Novella* 3 = Linder (n. 2), no. 54.

103. Linder (n. 2), 57–58.

104. Migne, *PL* XX, 731–46; XLI, 821–32.

105. E. D. Hunt, "St. Stephen in Minorca: An Episode in Jewish-Christian Relations in the Early Fifth Century A.D.," *JThSt* 33 (1982b): 106; S. Bradbury, *Severus of Minorca: Letter on the Conversion of the Jews* (1996).

106. *PL* XXIX, 401ff.; M. Pavan, "I cristiani e il mondo ebraico nell'età di Teodosio 'il Grande,'" *Annali della Facoltà di Lettere e Filosofia. Perugia* 3 (1965–66): 398; Kelly (n. 76), 158–59.

107. See Hunt (n. 105).

108. J. Seaver, *Persecution of the Jews in the Roman Empire (300–438)* (1952).

109. Rabello (n. 18).

CHAPTER EIGHTEEN

Christian Emperors, Christian Church, and the Jews of the Diaspora in the Greek East, A.D. 379–450



Cessent igitur, quaeso, haec de cetero usque in finem per te et sapientiam tuam et sudores et labores singulorum dierum, qui semper ecclesiis prosunt, pro quibus constituat te nobis deus ecclesiae propugnatores in longa et pacifica tempora, ut paulum quidem ex his improvisis malis respirantes, quae propter maledictum Nestorium mundus expertus est, adversum gentiles Phoeniciae possimus obsistere et Palaestinae et Arabiae et adversum cuncta Iudaica et maxime quae sunt in Laodicia (subito enim impii Iudaei archidiaconum, mirabilem virum, in theatrum deducentes puniverunt), insuper et contra eos qui in Cilicia effrenate resistunt.

E. Schwartz, *Acta Conciliorum Oecumenicorum*

1.4, no. 287, pp. 208–10

From now on, I beg you, let these (troubles) cease for good, through yourself and your wisdom and your everyday toils and efforts, which are ever for the good of the churches, and for which let God establish you on your behalf as the champion of the Church for a long and peaceful period. Thus, being able for a moment to catch our breath after these unexpected evils, which the world has experienced on account of the cursed Nestorius, we may stand up against the pagans of Phoenicia and Palaestina and Arabia, and against all the Jewish goings-on and above all those in Laodicea (for recently the impious Jews took an archdeacon, an excellent man, into the theatre and beat him), and beyond that also against those (bishops) who in Cilicia (still) insanely resist (reconciliation).

Introduction

This sudden side-light on Jewish-Christian relations in the fifth century comes from Iohannes, archbishop of Antioch, writing to Proclus, his counterpart in Constantinople, in 435. What we are reading is in fact a sixth-century Latin translation of a letter originally written in Greek, and referring to the long-drawn-out and acutely controversial process by which, after the Council of Ephesus in 431,

most of the original supporters of the Nestorian, or “two-nature,” position had agreed to a formula of reconciliation with the victorious proponents of a “one-nature” understanding of Christ, led by Cyril of Alexandria. Iohannes himself, originally Nestorius’ main proponent, had yielded and now found himself regarded as a traitor by those who still resisted, including the Cilician bishops to whom he refers.

Iohannes was writing fifty-six years after the accession of Theodosius I in 379, which it is entirely reasonable to see as the decisive moment in the adhesion of the Roman state to Christianity, in its commitment to the step-by-step suppression of paganism, and also in the proclamation by the emperor, a couple of years later, of the state’s support for what we can label as either “orthodox” or “catholic” belief, in essence subscription to the doctrine of the consubstantiality of the Trinity.

Since that time, a division into twin empires, ruled from Rome or Ravenna on the one hand and Constantinople on the other, had come about on the death of Theodosius in 395; while with the accession of Theodosius’ very young grandson, Theodosius II, in 408 an absolute and much-advertised commitment to Christian piety had come to mark the imperial court in Constantinople.

The position of the church might then have been perceived as wholly secure. But, as Iohannes’ words show, that was not how it felt to Christians at the time. The reverberations of the dispute over the nature, or natures, of Christ, which had led to the Council of Ephesus, had been felt all round the late Roman world, in the Latin West as well as the Greek East. Even apart from that, an obsessive concern with the threat posed by long lists of named heretical groups marks both Christian writing and the laws issued by the emperors. Similarly, pagans, though suffering repeated blows, and progressively deprived of positive rights and of protection under the law, still functioned in the Christian imagination as a hostile chorus, lamenting Christian success and rejoicing in disaster. But above all, and in a way which we ought to find noteworthy and surprising, the Jewish presence was also felt as a recurrent threat. “Presence” in this sense means literal presence, in the remarkable range of evidence available to us for Jewish communities of this period in the cities of the Greek East. But it also means the presence in the minds of Christians of a perceived threat, or challenge. Both aspects are illustrated in Iohannes’ letter, as is also the backdrop of the still flourishing, if rapidly Christianised, Greek city. It is perhaps important to stress this point. The rigorous

and impressive collection of evidence by J. H. W. G. Liebeschuetz for the eventual decline and fall of the Roman city, shows no systematic decline datable as early as the first half of the fifth century.¹ Moreover, as we will see, a quite high proportion of the (relatively few) Greek cities whose late Roman phase has been analysed in detail also provide archaeological or epigraphic evidence for Jewish communities.

Laodicea, in the province of Syria Prima, is not such a case, and the episode reported by Iohannes is our only evidence for a Jewish presence there in the first half of the fifth century. We have no context to explain how or why the Jews there could have had the temerity to beat an archdeacon publicly in the city's theatre. But the report functions both as evidence that there indeed was a Jewish community there, and as a reflection of that general anxiety which I have already mentioned: the settlement (up to a point) of the Nestorian controversy was, in Iohannes' eyes, an opportunity to turn to confronting external enemies, namely pagans and Jews. As we will see, the idea that there was an ideological, or religious, challenge from Judaism was not purely fanciful; and, what is more, there were several occasions other than the episode in Laodicea when "challenge" meant actual physical violence.

In this context of religious co-existence, competition, and on occasion violent communal strife, both paganism and those forms of Christianity currently judged to be heretical suffered from progressively more severe legal penalties. The practice of Judaism by Jews did not. As we will see, though restrictions were placed on Jews, above all as regards the conversion of Christians, the practice of Judaism enjoyed legal recognition, and even (against considerable pressures) legal protection.

This paper seeks to do no more than to sketch the main elements of religious co-existence, competition, and conflict, as between Christianity and Judaism, in the Greek East in the late fourth and first half of the fifth century, and to do so as regards the diaspora, ignoring Palestine (the official name of the Holy Land in the period in question). It does so for two reasons. One is that two major recent contributions by Seth Schwartz have both, implicitly, taken the Jewish history of this period as meaning the history of the Jewish people in Palestine.² But that is emphatically not the whole story. Secondly, the documentary and archaeological evidence for Jewish life in the Greek East outside Palestine has been significantly enriched by new

discoveries, and by the re-dating of older evidence. Thirdly, as indicated already, the range of evidence for Jews and Jewish life in Christian sources is considerable, and requires re-examination. Though there is quite striking documentary and iconographic evidence for Jewish life in and around this period, we do however lack any Jewish literature written in the Greek diaspora. So any conceptions which we have of beliefs or attitudes from the Jewish side, or of Jewish theological thought, have to come from inscriptions or iconography, or from the glimpses available between the lines of Christian sources.

This paper will therefore quickly review the legislation of 379–450 as it affected the Jewish communities of the Greek East; it will then analyse the main epigraphic and archaeological data, some very new, and others which have recently been re-evaluated and re-dated, to place them in this emphatically Christian wider context; and it will finally assess the evidence of Christian sources for the presence of Jews, and for Christian relations with them. The result, it is hoped, will stimulate a re-consideration of the scale and significance of the Jewish presence in the Christian Greek world, and of Christian awareness of Judaism as a rival.

The Jewish diaspora under the pagan Empire of the first three centuries A.D. has been very fully studied in recent work.³ But we need to realise that a Jewish diaspora in an emphatically Christian empire, particularly if the evidence seems to show it as numerous, active, and confident (and even on occasion aggressive), represents a quite new and distinctive phase in religious history.

Imperial Pronouncements

Given the thorough treatment of this topic in Linder's excellent study of Roman imperial enactments,⁴ all that is required here is a brief survey to remind ourselves of the essential features of Jewish legal status in the Christian empire, and to note any features of imperial pronouncements which reflect either circumstances in any particular locality or region, or the general nature of Jewish-Christian relations. It should be stressed that the theme of this paper is the Jewish diaspora of the Greek East, and it concerns neither the circumstances of Jews in Rome and the Latin West,⁵ nor the Jewish community of Palestine and its Patriarch (fully discussed in an excellent work by Martin Jacobs).⁶ Given this restricted regional focus, it therefore needs to be stressed also that, with minimal exceptions, all the "laws" issued by late Roman emperors were in fact letters written to officials

holding office in particular regions. Especially after the division of 395, it also makes a fundamental difference whether the “law,” or letter, concerned was issued from Italy (Rome or Ravenna) or from Constantinople. The consolidation of these laws into a single series in the *Theodosian Code* of 437 created an illusion. In reality there were two separate, but loosely related, spheres of legislation.

The essentials of the legal status of Jews and Jewish communities in fact remained the same as they had been since Constantine: (1) Jewish worship conducted by Jews was legal; (2) the conversion of Christians, including Christian slaves owed by Jews, was illegal and subject to penalties; the rulings varied as to whether Jewish ownership of Christian slaves was permitted at all; (3) attacks on synagogues were illegal, and subject to penalties; (4) intermarriage between Jews and Christians was forbidden; (5) decisions on membership of Jewish communities were a matter for Jewish authorities; (6) certain officials of Jewish communities were exempt from curial obligations; (7) Jewish law applied only to issues of Jewish religious rules, unless both parties in a civil suit agreed on arbitration under Jewish law.

Without it being necessary to enter into all the details here, a new context for imperial rulings relating to Jews is perceptible in some of the pronouncements from the reigns of Arcadius (395–408) and of Theodosius II (408–50), namely an increased likelihood of communal violence and abuse, initiated by either Christians or Jews. One example comes from Arcadius’ reign, in the form of a letter to the praetorian prefect of Illyricum, sent on 17 June 397, telling him to inform provincial governors that Jews must not be assaulted and that their synagogues must be left in peace.⁷ On 29 May 408, a letter in the name of the seven-year-old emperor Theodosius was sent to Anthemius, praetorian prefect of Oriens, ordering Jews not to burn an effigy of Haman, evidently at Purim, and not to burn an image of the cross, “so that they shall not associate the sign of our faith with their frivolities, but will keep the observation of their rituals free of contempt of the Christian law.”⁸ Twelve years later the Emperor writes to the praetorian prefect of Illyricum to say that no one shall be oppressed for being a Jew, on the excuse of any religious pretext (provided that he is innocent), and that synagogues and Jewish homes shall not be burned down or damaged. But again the Emperor balances this admonition with an order that such provisions must not lead to Jews becoming insolent or committing anti-Christian acts.⁹ A

comparable balance is maintained in a ruling of 423 addressed to Asclepiodotus, the praetorian prefect of Oriens: synagogues may not be seized or set on fire; if they have been, or if synagogues have been taken for the benefit of churches, or even dedicated as churches (and if this has happened very recently), new buildings shall be provided; as regards objects dedicated in synagogues, if they have been taken they must be restored, or the price given in lieu. But then the order follows that no new synagogues shall be built, and that existing ones shall remain in their present form.¹⁰

Shortly after, there followed another ruling, addressed to the same praetorian prefect of Oriens. Preserved only in a series of separate fragments, it evidently legislated in relation to both pagans and heretics, as well as Jews, and again preserves a rhetorical balance as between protection on the one hand and restriction of rights on the other. The surviving section relating to Jews deserves to be quoted:

THE SAME TWO AUGUSTI TO ASCLEPIODOTUS, PRAEFECTUS PRAETORIO

Known and divulged to all are our decrees and those of our ancestors, in which we suppressed the arrogance and the audacity of the abominable pagans, as well as of the Jews and the heretics. We want the Jews to know, however, that we take with pleasure the occasion of the repetition of the law, and in answer to their pitiful supplications we have but legislated that those who usually commit wrong unadvisedly under cover of the venerable Christianity, shall abstain from injuring and persecuting them, and that from now on no one shall occupy their synagogues, and no one shall set them on fire. However, these Jews shall be condemned to confiscation of property as well so to perpetual exile, if it shall be established that they have circumcised a man of our Faith or ordered him to be circumcised. *And other matters.*

GIVEN ON THE FIFTH DAY BEFORE THE IDES OF APRIL AT CONSTANTINOPLE, IN THE CONSULATE OF ASCLEPIODOTUS AND MARIANUS.¹¹

As we will see later, there is clear evidence that this law, or one closely similar to it, was promulgated in Syria and provoked strong hostile reactions among at least some Christians there. In accordance with that, this pronouncement itself reveals the competing pressures which the Emperor felt himself to be under, and is also unique (in the context of Jewish-Christian conflicts) in alluding to the supplications (*preces*) presented by Jews; nothing is indicated as to their

geographical location or any communal representative structure by which the petition was generated.

Imperial “legislation”—issued, as stated above, in the form of letters to office-holders—was indeed the product of continuous pressures, resulting in what are often taken to be unavailing repetitions, when in fact they are responses, sometimes varying the terms of previous pronouncements, sometimes instigated by the need for more emphatic exposition of key points. Hence it was only two months later (8 June 423) that Theodosius wrote again to Asclepiodotus on the subject of pagans, heretics, and Jews. Here again, only sections of the original law survive, but one of these contains a reassertion of the protection offered to Jews and their synagogues, while another attests very clearly to communal tensions and violence, in this case directed by Christians against pagans and Jews:

THE SAME TWO AUGUSTI TO ASCLEPIODOTUS, PRAEFECTUS
PRAETORIO

After other matters. The Manichaeans and those called Pepyzitae, as well as those worse than all the other heretics in this belief only that they differ from all on the venerable day of Easter, if they persist in the same madness we shall punish by the same punishment, confiscation of property and exile. But this we particularly enjoin on the Christians, genuine as well as false, that they shall not dare to raise their hands, abusing the authority of religion, against peaceful Jews and Pagans who are not attempting anything seditious or unlawful. For if they shall act violently against peaceful people or plunder their property, they shall be charged and compelled to restitute not only what they had plundered, but thrice and fourfold the value of their plunder. Let the governors of the provinces, their offices and the provincials [or, probably, the *principales*] know, that if they permit these to be done, they shall be punished like the perpetrators.¹²

GIVEN ON THE SIXTH DAY BEFORE THE IDES OF JUNE AT
CONSTANTINOPLE IN THE CONSULATE OF ASCLEPIODOTUS AND
MARIANUS.

Finally, we may note the long pronouncement of Theodosius addressed in 438 to Florentius, the then praetorian prefect of Oriens, in which after abusive references to the blindness of Jews, Samaritans, pagans, and heretics, the Emperor, for the first time in the East, proclaims that Jews and Samaritans are to be debarred from public

office.¹³ It should be stressed that such a rule had not been promulgated in the East before (though comparable provisions are found earlier in the West),¹⁴ and that it in no way implies that Jewish observance was illegal. It does embody an intended, and very significant, limitation on the public roles open to Jews, and by its nature expresses an unquestioning hostility. But the Emperor's position remains that of formal maintenance of the law, and is in no way an example of overt persecution, or of forced conversion.

This brief survey of relevant imperial pronouncements relating to the Greek East, often discussed,¹⁵ is intended to do two things: to illustrate Christian attitudes, as expressed by emperors, whose pronouncements could not by their nature be divorced in tone and context from those of contemporary bishops. If anything, however, for all his proclaimed Christian piety, Theodosius' position was that of attempting to restrain Christian hostility to Jews (but also Jewish hostility to Christians). What needs to be stressed again is that, like late Roman "legislation" in general, these pronouncements, in the form of letters to senior office-holders, are visibly the results of continually conflicting and changing pressures. None of the pronouncements concerned happens to identify a region or locality more precise than the two major Prefectures of Illyricum and Oriens into which the eastern empire was divided (as many other such pronouncements in fact did). But equally there is no specific reason to think of any of them as relating to the three provinces into which Palaestina was now divided. In a general way, they evoke a conception, which other evidence shows to be valid, of uneasy co-existence between Jews and Christians, occasionally breaking out into either ritualised expressions of hostility or actual violence. As it happens, newly published, or newly re-examined, documentary and archaeological material, when taken together with other long-known evidence, some of which could profitably also be re-examined, gives a very powerful impression both of the number of Jewish communities attested in the cities of the Greek East, of the apparently flourishing state of their communal organisation, and, in some cases, of their capacity to attract "God-fearers" (*theosebeis*) or (in one case) full converts (*pros ἑ lytoi*). The number of late Roman Greek cities which have been subject to systematic excavation and analysis is small, so it is striking that at least four of those which have—Sardis, Aphrodisias, Apamea in Syria, and Gerasa—provide very clear evidence of a Jewish presence in the heart of the city. Above all, however, we ought to be conscious, in looking at this evidence, of the vast gulf which separates

the situation which obtained in the first three centuries, when both Jewish and Christian communities were minority elements in a predominantly pagan world, from one in which the institutions and rituals of paganism were under vigorous attack, and in which Judaism represented a (generally) tolerated rival variant of monotheism, living in the threatening shadow of a Christianity which had the full backing of the state. It is precisely this new situation which makes the archaeological and epigraphic evidence for the Jewish communities of the late Empire in the Greek East so striking. It is also in the light of this evidence that the air of hostility, insecurity, and suspicion which pervades Christian writing of the period, as regards Jews, begins to be intelligible.

If the objective were, as in the third volume of Schürer's *History*,¹⁶ to produce a complete survey of the evidence, or possible evidence, for Jewish communities, the procedure would of course be to take the material place by place, and to combine all different types of evidence from different sources. The purpose in this case, however, is different: to look first at the most significant items of "Jewish" evidence, archaeological and documentary, and then to survey the most salient examples of Christian reports which either attest the existence of a Jewish community, or communities, or illuminate the nature of Christian-Jewish contacts, or both. Neither survey sets out to be exhaustive.

The word "Jewish" was placed just now in quote marks, for two reasons. The first is the need to stress the inevitable limitations of the archaeological evidence for synagogues and their iconography, and of the brief epigraphic documents (and one papyrus) produced by or within Jewish communities. There is no Jewish literature which emanates from the diaspora in the Greek East in the late Roman period, and no basis whatsoever for deciding whether the Judaism practised there was or was not identical with that of the late Roman synagogues of Palestine, as known from archaeological evidence, or for determining whether either was close to "rabbinic" Judaism, whatever that term may be held to mean. Hebrew and Aramaic are both much more evident in the documentation from Palestine but (as we will see) are not absolutely unknown in the Greek-speaking diaspora. "Rabbis" as such do appear in the documentary evidence, none precisely dated, from Palestine, but (so far) in the diaspora, paradoxically, only from the Latin West.¹⁷ But the long "talmudic" inscription on mosaic from the synagogue at Rehov, near Scythopolis/

Bet-Shean, where the excavations have scandalously never been the subject of a final report,¹⁸ shows that it is rash to assert a disjunction between “synagogal” and “rabbinic” Judaism. We do not know.

The second reason for putting “Jewish” in quote marks is Martin Goodman’s bold, and deliberately provocative, suggestion that what we normally identify, in particular at Sardis, as a community of Jews, with a meeting place adorned with Jewish symbols, might in fact be a community of gentile “God-fearers” (*theosebeis*).¹⁹ As such, the argument can hardly be refuted. For, short of DNA tests, it will always be systematically impossible to distinguish a community which has fully adopted Jewish customs and beliefs from one which is made up of people who are Jewish by biological descent. We can make this distinction only where they themselves do. Which is why it will be convenient to begin with the evidence from Aphrodisias, which does precisely distinguish *theosebeis* and *pros ἑ lytoi* from the main body of a community which is marked by a high ratio of Hebrew names. Aphrodisias will be the first of a series of examples considered in the next section, taken in approximate order of their significance for this topic. As will be obvious, the evidence for different communities varies very drastically in both type and scale.

Jewish Evidence for Diaspora Communities

Aphrodisias

Our knowledge of the Jewish community of Aphrodisias in Caria depends essentially on a single inscribed block, with substantial texts in Greek on two of its four sides (the synagogue itself may lie under the museum constructed to house the magnificent statues produced in the city). Published originally in an illuminating pioneering study by Joyce Reynolds and Robert Tannenbaum, the two texts have now been re-studied, and a convincing date established, by Angelos Chaniotis.²⁰ It is in fact this re-dating, along with the recent publication of all the inscriptions from the synagogue at Sardis, which offers the occasion for a complete re-evaluation of the place of Judaism in the religious map of the late Roman Christian empire in the East. Chaniotis argues that the earlier of the two inscriptions is that which occupies what Reynolds and Tannenbaum had designated as face *b* (and which he labels as face I), and that it is of the fourth century, perhaps between 311 and 379; while that on face *a* (now face II) is later, and will probably belong to the fifth century. The revolutionary implications of

the new dating become clear only when we consider the content of the two inscriptions. What we may now call face I contains a list of the names of fifty-four persons in Greek, predominantly in the normal form “x son of y,” of which no less than eighteen contain transliterated Hebrew elements (Iak $\bar{\alpha}$ b, Ioudas, Zacharias, I $\bar{\alpha}$ s $\bar{\epsilon}$ ph, and so forth). There are also programmatic names indicating adherence to Judaism, such as “Eusabbathios.” We can be certain that these are Jews both because of these names and because the next section has a heading indicating that the people listed in it are “God-fearers”: “And such as are *theoseb[e]is*” (line 34). There follows a list of fifty-two men, none with Hebrew names (though there is one “Eusabbathios,” line 48), of whom the first nine have the status designation “city councillor” (*bouleut* $\bar{\epsilon}$ s), and many of the others have their occupations described.

As soon as we read this document, not as a product of the period when both Christian and Jewish communities lived as tolerated or threatened minorities in an essentially pagan world, but as reflecting the first stage of Christian dominance, it appears in a wholly new light. What is not clear of course is whether the fifty-two gentile “God-fearers” had come from paganism or Christianity (it was the conversion of *Christians* to Judaism which contemporary emperors, at least primarily, sought to ban, and which was subject to penalties on the individual concerned).²¹ But, on any construction, it offers a sudden glimpse of religious fluidity in the fourth century, and of an attractive power of Judaism, for which earlier documentary evidence had not prepared us.

This impression is reinforced by the second inscription, now “face II,” and all the more so if, as Chaniotis clearly suggests, it dates after the affirmation of Christianity, and of “Catholic,” Trinitarian, belief, by Theodosius I. For here the contributors to some sort of foundation for the relief of the people are listed: of eighteen (or nineteen) individuals,²² eleven have Hebrew names, including all three of those who are described as *pros* $\bar{\epsilon}$ lytos (e.g., line 22, “Joseph son of Eusebios, proselyte”), while two others each appear as *theoseb*($\bar{\epsilon}$ s). Once again we cannot tell whether either the *theosebeis* or the *pros* $\bar{\epsilon}$ lytoi have come from paganism or from Christianity. But in this phase full proselytes do appear, and give themselves Hebrew names, written in Greek, as they do so. The names (like those of the Jewish group) are written without Greek endings, as they are in the Greek Old Testament, and are not equipped with Greek endings, as in Josephus.

This choice implicitly expresses a commitment to Hebrew origins, without proving that knowledge of Hebrew was at all current at Aphrodisias.

Since we do not know where the *st ē l ē* with the two inscriptions was originally placed, we cannot know how widely it served to advertise the truly remarkable composition of the Jewish community in Aphrodisias. But it is at any rate clear that no effort was made to conceal the adherence either of “God-fearers” or of full proselytes. We may note also the brilliant survey by Chaniotis of the many other public signs of Judaism to be found at Aphrodisias—inscriptions, graffiti, representations of menorahs, and so forth.²³ To repeat, the overall effect of the re-dating is to suggest the need for a radical reconsideration of the place of Judaism in the predominantly Christian Greek empire.

Sardis

The excavations of Sardis in Lydia, as is well known, have revealed that at some point in the late Empire a large basilical hall in the centre of the city—considerably larger than any known building originally constructed as a synagogue—was converted for use by the Jewish community there. The precise date of this step is currently under debate, and it is a matter of choice whether one describes the resultant building as a synagogue or, more loosely, as a hall with forecourt, now adapted for Jewish communal use.²⁴ Equally, as above, we cannot prove whether these observers of Judaism were biologically Jewish or not. Doubts must still remain on the archaeological context, since much depends on the dating of the mosaic floor, on which the final report is yet to appear. So, given the uncertainties as to the date, it is not claimed here that the relevant evidence dates to the Theodosian period, though it belongs without question to the late Empire. But the very important step which has very recently been taken is the publication, as two complete groups, of all of the seventy Greek inscriptions and five Hebrew ones from the site, plus one Hebrew one from elsewhere in Sardis. The Greek inscriptions offer an illuminating contrast and comparison to the two from Aphrodisias.²⁵ Firstly, while much more numerous, they are individually much shorter than the Aphrodisias ones. Secondly, they are all internal to the hall and its forecourt; some are mosaic inscriptions from the main floor, and some come from decorative wall panels. Thirdly, our conception of the community has to be built up from a large number

of small texts, some very fragmentary; there is no continuous list, as at Aphrodisias. The overall picture revealed, however, is very much in accordance with that from Aphrodisias. Firstly, individuals with the status designation of *boul(eutē s)*, “city councillor,” appear quite frequently (nos. 3, 13, 16, 17?, 24, 25, 26, 31, 37, 67). Secondly, several persons are identified by the term *theosebēs*, “God-fearer” (nos. 8, 9, 22, 59, 66)—surely a conclusive demonstration that we cannot characterise the *whole* community here (or, of course, at Aphrodisias) as “God-fearers.” Thirdly, we do encounter some Hebrew names written in Greek, though far fewer than at Aphrodisias (e.g., no. 34: Sam $\bar{\sigma}$ [$\bar{\epsilon}$ l], someone from the nearby city of Hypaipa; also no. 56: Sam $\bar{\sigma}$ [$\bar{\epsilon}$ l]).

More important, there are also a few inscriptions which give at least some explicit hints as to the nature of the Judaism practised there: for example, no. 76, a dedicatory inscription ending “Lord, help this house,” inscribed in a circle enclosing also a representation of a menorah and an ethrog; also no. 66—“Aurelius Hermogenes, a ‘God-fearer,’ having taken a vow, made, from the gifts of Providence, the menorah [*heptamyxion*].” Most significant of all is surely the mosaic inscription (no. 4) with “Vow [*euchē*] of [S]amoe, priest [*hiereus*] and *sophodidaskalos*.” It is a matter of speculation what, if any, were the special functions of a *cohen* in a diaspora synagogue in this period. But the concept of a “sophodidaskalos,” even if we clearly cannot just translate it as “rabbi,” does hint strongly at an interpretative and expository function, which there is no reason to suppose to have been wholly distinct from the communal functions performed by rabbis.

The feature which is most striking about the Jewish presence in Sardis, however, is the small scatter of Hebrew inscriptions. Of the six known texts, recently published by F. M. Cross,²⁶ five come from the synagogue itself and are very brief, consisting of a single word or name each; they thus hardly attest to the currency of any real literacy in Hebrew among the community. But the sixth, a stray find from near the temple of Artemis, is a grammatical sentence, using a verb in the perfect tense: ’NY SMRH BN LYHW KTBTY (“I, SMRH son of LYHW, have written”). Its possible implications are therefore quite considerable.

The potential significance of the Sardis synagogue is therefore very great, limited for the moment only by uncertainty as to when the basilical hall was acquired for Jewish use, and as to the time span to which we should attribute the inscriptions. The presence of Hebrew

might itself tend to suggest a late date.

Antinoopolis, Egypt

No such problem of dating attaches to the unique papyrus document now in Köln, which attests to the existence of a Jewish community at Antinoopolis, or Antinoe, in middle Egypt, situated on the Nile some 400 kilometres south of Alexandria. This is a marriage contract (*ketubba*) written in Aramaic, and dated at the top (in Greek written in the Hebrew alphabet) to the year A.D. 417.²⁷ In it Samuel son of Sampati, resident at Antinoopolis, declares that he is taking Metra, daughter of L'ZR from Alexandria as his wife “according to the law (NMWS = *nomos*) [of all the daughters] of Israel” (line 8).

This document has attracted far less comment than it ought to have, since its publication in 1986, perhaps precisely because of its unique character, which necessarily makes it difficult to put in context. The document is full of Greek loan-words (even beyond the transliterated Greek at the beginning), and gives the impression of representing the language of everyday use in a multi-lingual environment.²⁸ The editors suggest that the Aramaic used is close to Palestinian Aramaic—hardly surprising, above all in a Jewish context, since what other varieties of fifth-century Aramaic dialects (other than Syriac itself, written in a different script) are available for comparison? There is however nothing in the way that the parties to the contract are described to suggest that they are recent immigrants from Palestine.

The composition of a Jewish marriage contract in Aramaic suggests, against what would surely have been the general expectation, namely the use of Greek, that it was possible for there to be diaspora communities where the knowledge of Aramaic (or Hebrew) had not been lost, and where Jewish law was consciously observed. The composition of such a marriage contract, even though no explicit reference to a Jewish community or its institutions appears in the document, clearly implies that that there was such a community. Once again presumptions as to a clear distinction between “native” Palestinian Judaism and diaspora Judaism may need to be rethought.

Gerasa, Province of Arabia

One of the most striking items to emerge from the major excavations at Gerasa (Jerash) in Jordan was the foundations and partially

preserved mosaic floor of a synagogue, directly overlaid by a church which was built, as an inscription records, in A.D. 530/1.²⁹ This is one of several known cases of such overlying, as we will see. As regards the synagogue, situated on high ground to the west of the famous temple of Artemis, the excavators suggest that it may have been constructed in the late fourth or early fifth century. If we conceive of it as a diaspora synagogue, it has very distinctive features: the mosaic floor contained a pictorial, or narrative, depiction of a biblical scene, with the dove bringing an olive branch to two sons of Noah, who are named in Greek, Shem (*Σ ἔ m*) and Yaphet (*Iaphith*), and then a representation of the animals leaving the Ark. A further Greek inscription in mosaic reads “To [the] holy place [*agios topos*]. Amen. Sela. [The] peace of the synagogue.” A closely parallel text is offered by an Aramaic inscription in the mosaic floor, reading “Peace on all Israel. Amen. Amen. Selah,” and giving three names, presumably of benefactors: Phinehas son of Baruch, Yose son of Shmuel, and Yudan son of Hezekiah.

There is of course a question as to whether this synagogue should be classified with other diaspora ones or with those of Palestine. Scythopolis, in the province of Palestina Secunda, with several late Roman synagogues in the city and its territory, lay some forty-eight kilometres to the north-west, across the deep valley of the Jordan;³⁰ and Hammath-Gader, with both elaborate baths and another late Roman synagogue with extensive Aramaic inscriptions, was some fifty-five kilometres to the north-north-west, near the south-east corner of the Sea of Galilee.³¹ So Gerasa lay not far from the principal zone of Jewish settlement, though in this area it was a matter of mixed settlement, not Jewish alone. But that should not be enough to make us categorise it as a “Palestinian” or “Judaean” synagogue, which strictly it was not; instead, it should be taken as another sign that too rigid a distinction should not be presupposed. In any case, as we will see later (text following n. 53 below), a Christian writer of the early fifth century can presume that Jewish and Samaritan synagogues might be found anywhere along the route which led through the Near Eastern provinces from Cilicia to Egypt.

Apamea, Syria

Just as Gerasa does, the major Greek city of Apamea on the Orontes reveals a Jewish synagogue of the late Roman period which was subsequently overlaid directly by a Christian church. Unlike almost all

the other documents discussed here, two of the sixteen mosaic inscriptions from the synagogue at Apamea carry a precise date, year 703 of the Seleucid era, so A.D. 391/2.³² All the inscriptions are in Greek, and the mosaic floor exhibits only abstract designs, with only the most formal representational elements.³³ The function of the inscriptions is in essence to record the names of the benefactors who had paid for sections of the mosaic floor, but between them these texts are also notable for giving so full a list of synagogue officials: *archisynagogoi*, a *gerousiarchos*, *presbyteroi*, and a *hazzan* or *diakonos* (CIJ II 805: “in the time of Nemias [Nehemiah], the *hazzan* [who was also] the deacon,” so in *IJudO* III, no. Syr 58). There seems no reason to posit any substantial gap in time in the laying of the various sections of the floor mosaic, so we can take this as a snapshot of the community as it was at the end of the fourth century. “Azzana” must surely be a transliteration of the Hebrew  ZN, or more probably Aramaic HZN’. Naturally, this is no proof of the currency of either Hebrew or Aramaic in the community at Apamea. But neither the Hebrew nor the Aramaic form of the word is found in the Bible, so the word as transliterated into Greek must reflect the subsequent evolution of communal practice. The equivalence in meaning of the two terms, *hazzan* and *diakonos*, with the Greek in a slightly different form, is attested by Epiphanius, *Panarion* 30, 11: “of [the] *hazzanitai*, that is, in translation the *diakonoi* or assistant servants among them.”

Antioch, Syria

By accident, two of the mosaic inscriptions from Apamea (CIJ II, nos. 803–4 = *IJudO* III, nos. Syr 53–54) record that sections of the mosaic floor there had been paid for by Ilasios son of Eisakios, *archisynagogos* of the Antiochenes. As we will see later, the Jewish community of Antioch was the source of considerable anxiety to one contemporary presbyter there, the later bishop of Constantinople, John Chrysostom (see text to n. 40 below).

Side, Pamphylia

Two Greek inscriptions, which seem to date to the second half of the fourth century A.D. or the first half of the fifth century, clearly attest the existence of an organised Jewish community, and (it seems) of more than one synagogue, since the second inscription speaks of “the first synagogue.”³⁴ The first names Leontios, son of Iakob, and the second Isaki(os), who was curator “of the most holy first synagogue,”

and who completed the marble paving from the *ambo* to the *simma* (or *sigma*) and saw to the cleaning of the two seven-branched (*heptamyxoi*) candlesticks (approximately as in Sardis). Even without further data, we catch a glimpse of the context of communal Jewish religious life in the Theodosian age.

This survey has been concerned only to highlight some particularly significant concentrations of evidence, revealing either the physical character of diaspora synagogues or their communal organisation, or features of religious life. It has left aside a large range of other evidence which may or may not date to the Theodosian period, or which merely attests the presence of individual Jews (e.g., the Oxyrhynchus papyrus of A.D. 400 which shows the lease of a house by two nuns there from a man named Aurelios Ios son of Ioudas, identified as a Jew, *Ioudaios*).³⁵ But the evidence listed above, scattered as it is, is perhaps sufficient to suggest why the presence of Jewish communities, exhibiting a form of monotheism involving a different form of attachment to the Old Testament, and a rejection of the New, played so large a part in the consciousness of their Christian contemporaries, who apparently enjoyed an unchallenged dominance. The evidence of Christian sources will show that communal aggression was not confined to the Christian side, though it is more fully attested there, and that on the whole the emperors and the secular authorities, rather than promoting anything which came close to persecution, tried to impose restraint, on both sides.

Jews and Jewish Communities as Represented in Christian Writers

Christian evidence reveals very clearly why restraint by the civil or military authorities might well be necessary. For instance, the Syriac *acta* of the second Council of Ephesus in 449 record an element in the accusations brought against Sophronius, the bishop of Tella (Constantina) in Osrhoene. His son was alleged to have taken a Jew with him into the bishop's house there and to have eaten with him "in the manner of the Jews." During the Lenten fast he had continued to eat with the same Jew and had even brought him into the church. But he had then been driven out by a Christian mob and had appealed for protection to the commander (*dux*) of the *praetorium* there, who called out his troops, leading to the death and injury of many Christians. This was one of the causes of complaint brought against various bishops who were thought to be followers of Nestorius.³⁶ On the other hand, the sixth-century *Chronicle of Edessa*, also in Syriac, claims both

that Rabbula, as soon as he was elected bishop of Edessa in 412, had built a church on the site of a former synagogue, and that this had been by imperial command.³⁷ The brief entry in the *Chronicle* does not make clear whether the synagogue had still been in use up to the point when the church was built. An independent source, the Syriac *Life* of Rabbula, probably of the fifth century, and not later than the sixth, claims that the bishop converted “thousands” of Jews and heretics, and destroyed the churches of the latter.³⁸ We need not accept that there were literally thousands of Jews to convert, but all the evidence supports the conception of Osrhoene in this period as the scene of much variation and conflict both within Christianity and as between Christians and other groups.

If we could have confidence in the historicity of the picture offered by the Syriac *Life* of the famous archimandrite (in effect, abbot of a monastery), Bar Sauma, also partially edited by F. Nau—and perhaps, following E. Honigsmann, dating from about A.D. 550–650—we would gain an even more powerful impression than from other sources both of Christian anxiety and of violent communal conflict.³⁹ Looking back to the period around A.D. 400, the author envisages a world which seems extremely strange in the light of the majority of our evidence: a Near East (Palestine, Phoenicia, Arabia) where pagans were numerous and Christians few, and where Jews and Samaritans were dominant and persecuted the Christians. Accordingly, the hero of the biography set out with his followers to destroy the synagogues of the Jews, the meeting places of the Samaritans, and pagan temples. In particular, a vivid account is provided of a pitched battle over the grand Jewish synagogue of Rabbath-Moab (Areopolis), which is finally occupied and burnt. A judgement on whether any of this really happened must await a full edition and study of the text.

We are on firmer ground when we come to the eight homilies of John Chrysostom “Against the Jews” which he delivered while he was a presbyter at Antioch in A.D. 388–97/8.⁴⁰ It will be recalled that this is exactly the moment at which Ilasios, “archisynagogos of the Antiochenes,” was commemorated at Apamea as donor of part of the mosaic floor of the synagogue there. In fact, in delivering his homilies “Against the Jews” Chrysostom was not, strictly speaking, denouncing Jews, or “Jewish-Christians” or even “Judaising Christians” as a coherent group, but normal members of the Christian congregation of Antioch, whom he observed to be attracted to the service of the synagogue, and in particular to the observance of Passover and of the

Autumnal High Festivals: New Year (marked by trumpets), the Day of Atonement (and a fast which is apparently that covering the ten-day period between them), and Tabernacles. Addressed directly to members of the main Christian congregation of Antioch, John's discourses also represent violent theological diatribes against any claim that the Bible provided material which offered a justification for continued observation of Judaism.

From just the same period, A.D. 388, we catch another glimpse of communal conflicts in the Near East in the famous letter of Ambrose (*Ep.* 1, 40) to Theodosius I about the affair of the synagogue at Callinicum on the Euphrates. The pattern of communal relations matches exactly that which we can read between the lines of the imperial pronouncements of the 420s. The synagogue had been burnt down on the initiative of the local bishop; a report had been sent to the Emperor by an official whom Ambrose describes as “comes Orientis militarium partium” (in fact *either* the civilian *Comes Orientis* [Count of the Orient] or the *Magister militum* [Master of the Soldiers] *per Orientem*); the Emperor had ordered the punishment of others involved, while the bishop was to be responsible for re-building the synagogue. Ambrose protests violently, just as Symeon Stylites is alleged to have done in similar circumstances (text to n. 46 below). Moreover, he recalls instances of Jewish violence against Christians, unleashed in the reign of Julian the Apostate (1, 40, 15), as well as Julian's plan to re-build the Temple (1, 40, 12).

Paulinus' *Life of Ambrose* (22, 3) adds some clarification. The Christian assault, which was also directed against a meeting place of the heretical group known as Valentinians, was occasioned by abuse of some monks by either the Jews or the Valentinians. Moreover, Ambrose's protest was backed up by his refusal to admit the Emperor to communion until the orders given had been reversed.

This notorious episode has inevitably been discussed many times, and we need do no more here than note that it adds another small city in the Near East where there was a Jewish community and a synagogue, and acutely hostile relations between different religious groups living side-by-side; it also shows that the imperial state attempted at least to deal justly between them.

A similar impression of communal religious rivalry at Antioch is provided by Theodoret, who had been born there in 393 and was bishop of Cyrrhus from 423 onwards. As regards both cities, he sees Christianity as functioning within a hostile and contested

environment, in which Jews play a significant part. For instance, speaking of the successful tenure of the See of Antioch by bishop Alexander (A.D. 414/24), he says that the Arians and Jews were crippled, and the remnants of the pagans groaned, “seeing the other rivers pouring into the sea of the Church” (*HE* 5, 35, 5). In his conception of his own tenure of the See of Cyrrhus, it too had been an endless battle against heresy, Judaism, and paganism (*Ep.* 2, 81, written in 448). A year later, writing to Pope Leo in Rome, he speaks more generally of the contests (*agōnes*) in the cities of the secular diocese of Oriens, against pagans, Jews, and heretics, as well as the Persian magi (*Ep.* 3, 113). It was probably about this time, when deposed from his See by the second Council of Ephesus of 449, that he wrote in another letter that while pagans, Jews, and heretics of all sorts were at peace, the church was buffeted by storms (*Ep.* 3, 129). Even before that, when he had merely been ordered, by imperial command, not to leave his own city, he had written to the *Magister Militum*, Anatolius, that he could not refrain from weeping on seeing the Jews “raising their horn on high,” at the sight of dissension in the church (*Ep.* 2, 79). We shall encounter again this sense of the Jews as an ever-present hostile chorus, despairing at Christian success and rejoicing at difficulties. And beyond that we need to recall the very specific report from Iohannes of Antioch with which we began, of Jews publicly beating an archdeacon in Laodicea in the city’s theatre.

Theodoret’s writings reveal two other important aspects of the Christian conceptualisation of contemporary Judaism. One is the shock which had been caused by the abortive attempt of the emperor Julian (A.D. 361/3) to rebuild the Temple in Jerusalem, and thus re-establish a bond between Judaism and paganism, namely animal sacrifice, which necessarily excluded Christians. As we have seen, this topic had been a significant theme also for John Chrysostom. Theodoret comes to it, for instance, in the course of his *Commentary on Ezekiel*, referring to a Christian theologian, Apollinarius, who had predicted the re-building of Jerusalem and the re-instatement of sacrifice under Jewish law, and had said that there would be two parallel churches, one observing the Jewish Law, and the other not. But what then of the churches in Jerusalem if the Temple were to be re-built?⁴¹

Perhaps more striking still is Theodoret’s observation in his *Questions on Genesis* that Jewish boys are distinctive in not growing up from infancy using their native language, Hebrew, but rather the

language of those among whom they live. Learning the Hebrew alphabet comes when they are adolescent: “through these letters they read Holy Scripture, which is written in Hebrew.”⁴² He cannot be basing this observation on the Jewish community of Palestine, with which he had in any case little or no known contact. So it must be a reference to the diaspora of Syria and Euphratesia, with which he was familiar. What is striking is the assumption that Hebrew instruction did exist among Jewish communities there, and that its object was the study of the Bible in Hebrew. He does not make clear whether he thinks of the normal language of the wider environment as being Greek or Aramaic/Syriac, but the former is by far the most likely. As regards the presumed contrast between Palestinian and diaspora Judaism, it is quite clear that Greek was current also among Jews in Palestine, and was used regularly, along with Hebrew and Aramaic, in the mosaic inscriptions of synagogues.⁴³ Moreover, it is quite clear from a letter of Jerome, written from Bethlehem in about the first year of the reign of Theodosius II (*Ep.* 121, 10, 19–21), that the informants who talked to him about “rabbinic” Judaism had spoken to him about it in Greek.

As regards the range of Theodoret’s knowledge and attitudes, it might be noted that he would deserve re-consideration in the light of Alison Salvesen’s brilliant recent survey of Christian attitudes to the Hebrew Bible, and the two conspicuous cases of a return to it, by Origen and Jerome.⁴⁴ For it is a noteworthy feature of his biblical commentaries that he on occasion refers to readings current “among the Hebrews and among the Syrians.” So he is aware of both Hebrew and Syriac texts of the Bible.⁴⁵

Once again, though there clearly was a significant contrast between Holy Land and diaspora, the difference was one of degrees, and there is no basis for the assumption of a fundamental division. We do not know what level of knowledge of the Hebrew Bible lay behind the very modest epigraphic traces of Hebrew in the diaspora. But it is worth noting that, long before he settled in Bethlehem, Jerome, while following an ascetic life on the fringes of the desert near Chalcis in Syria in the 370s, had studied Hebrew with a converted Jew, presumably coming from that area (*Ep.* 125, 12). Equally, we cannot claim to know that no compositions of a “rabbinic” type circulated in the diaspora. Nor indeed do we know that none were written there. What is clear, as we will see, is that views on the interpretation of the Bible could be formed and expressed there, and also expressed to

Christians with whom diaspora Jews had contact.

Returning to Theodoret's real-life observations, in his *Historia Religiosa*, recording the major examples of asceticism in Syria, he notes for instance the conversion of some Jews who had got lost in the Syrian desert, by a fourth-century holy man who lived the life of a solitary there, Symeon the Elder (*HR* 6). He also describes in more detail the influential role played by the most famous of his holy men, his own contemporary, Symeon Stylites, in confronting pagan impiety and Jewish audacity, as well as dispersing bands of heretics; sometimes Symeon wrote to the Emperor (Theodosius II) on these topics, and sometimes he stimulated lower officials into action (*HR* 26, 27). This latter theme is taken up in much more detail in the *Syriac Life of Symeon*, written in the mid-fifth century, which quotes, naturally in Syriac translation, what is claimed to be a vigorously phrased letter from Symeon to the Emperor, complaining of undue favour to the Jews. According to this account, which is later followed by Evagrius in his *Ecclesiastical History*, the Emperor at once countermanded his orders and dismissed the official concerned.⁴⁶ These or comparable exchanges lie behind the awkward balancing act which we saw earlier being performed in the imperial pronouncements of the 420s (text to nn. 11–12 above).

A different, but very significant, set of view-points on Jewish-Christian relations is provided by the *Ecclesiastical History* of Theodoret's direct contemporary, Socrates. He was a layman, not a bishop, and seems to have written in Constantinople. Alone of the major church historians of Theodosius' time, he carried on his narrative up to the second-to-last decade of the reign, stopping in 439, and thus continued long enough to cover the first stage of the Nestorian controversy.⁴⁷

As regards Socrates' contribution to "the Jewish question," as seen by Christians, we may note in passing his long excursus, beginning from the issue of the date of Easter, concerned with the influence of Judaism on the practices of the church (*EH* 5, 22). More specific are his three detailed reports of episodes from the reign of Theodosius II, all, obviously enough, presented from a Christian point of view. First in time comes the well-known account of major Jewish-Christian communal conflicts in Alexandria in 415 (*EH* 7, 13–14). To abbreviate drastically, conflicts arose over the presence of Jews, at leisure during the Sabbath, at a public show of dancers, attended by the praefectus Augustalis (the prefect of Egypt), Orestes. When a confidant of the

patriarch, the famous theologian Cyril, was publicly abused by the Jews present, Orestes responded by having him beaten. Cyril then summoned the leaders of the Jewish community and threatened them.

In response, so Socrates' account runs, the Jews formed a plot to burn down a church in Alexandria, and, when Christians rushed to save it, assaulted them and killed some. In his turn Cyril assembled a large force of Christian supporters, attacked the synagogues, killed some Jews and drove out the others. We have very little background against which to set this narrative and can only stress that it presupposes both a substantial (if quite unquantifiable) Jewish presence in the city, with more than one synagogue, and with sufficient confidence to involve the support of the praefectus, and to plan violent action against the Christian majority.⁴⁸ Of the religious character of "Alexandrian Judaism" in this period we know nothing more; but it is very clear from the writings of Cyril that the confrontation with Judaism (which in itself did not require or imply any direct contact with Jews) was a significant element in his thought, explored long since in a major early work by R. L. Wilken.⁴⁹

Before we move on to the second two episodes recorded by Socrates, it will be relevant to note that two other Christian writers provide quite vivid side-lights, if not on Alexandrian Judaism as such, at any rate on the Jewish presence in the secular diocese of Egypt (the sphere of responsibility of the praefectus Augustalis), covering both the various provinces into which Egypt was divided, and the two provinces of Libya. One such side-light is provided by the well-known letter of Synesius (*Ep.* 5), dating to A.D. 407, before his election as bishop of Ptolemais, and describing a sea voyage from Alexandria along the coast to Libya. Of the crew of thirteen, including the pilot, more than half were Jews, "a treacherous race, and deeply convinced that piety consisted in causing the death of as many Greeks as possible." During the voyage, a storm broke out, and the Jewish crewmen were not available to lend a hand. For it was the day before the Sabbath (*Paraskeuē*), "and they count the night as belonging to the day which follows, during which they do not think it right to engage in any physical activity." It then appeared that the pilot was himself an observant Jew, and Synesius expostulates on the hopelessness of a situation where the pilot himself was a "teacher of the law" (*nomodidaskalos*—we may recall the *sophodidaskalos* from Sardis), who instead of steering took to reading the Bible. Eventually, under threat of force, the pilot remembered the rule that the

preservation of life took precedence over the observation of the Sabbath.

Synesius' tone is satirical—the voyage is represented as a succession of disasters—so we need not take it that the Jewish pilot literally occupied some religious office. The implication is rather that he perversely adopted a role of this sort to the neglect of his immediate duties. All the same, the word *nomodidaskalos* indicates an awareness on the part of the gentile outsider that the teaching of the Law was a characteristic function of a Jewish community.

As in almost all of our Christian evidence, a consciousness of the presence of Jews in the social and religious spectrum goes together here with an unabashed hostility. We see this conjunction in a different light again in a number of letters from the vast surviving correspondence of Isidorus of Pelusium in the Egyptian delta. He was apparently a presbyter and monk there, writing in the first half of the fifth century.⁵⁰ What is striking in this context is the number of allusions to explicit Christian-Jewish argument, and theological dispute. On occasion, the allusions are unspecific—possible disputes over the doctrine of the Trinity against Sabellians, or Jews on the one hand, and Arians or Eunomians or pagans on the other (*Ep.* 3, 27); or he advises a *scholasticus* named Theodosius to use his sharp tongue against the madness of the heretics, the superstition of the pagans, or the ignorance of the Jews (5, 119 = Evieux [n. 50], no. 1386). But most of the relevant letters envisage, or respond to, specific disputes conducted by named individuals. One Adamantius is told to refute the Jew who has been claiming that the notion of the Incarnation has no biblical foundation, by pointing to the creation of Eve from Adam's rib, and of Adam from the earth (1, 141). Isidorus also writes directly to a Jew named Benjamin who claims that sacrifice requires blood, and hence that the use of bread for communion is improper, pointing to the table of Shewbread in the Temple (1, 401). To Athanasius, a presbyter, to whom a Jew has claimed that one must keep only to the literal text of the Bible, Isidorus points to the retelling of the biblical narrative by Philo and Josephus, with the one's use of allegory and the other's of extended exposition (3, 19). Another correspondent is a *grammaticus*, Ophelius, who is in dispute with a Jew over the interpretation of Deuteronomy 18:15, "God will raise up a prophet for you" (3, 22); and yet another is a bishop, also called Isidorus, who is involved in an argument with a Jew on the still extremely acute problem mentioned above: did the Bible offer any justification for the

view that the Temple would be restored, or was the situation of Jews on earth in irrevocable decline? Haggai 2:7–8, at any rate, could be shown to offer no comfort to the Jews: it referred to the coming building of the Second Temple (4, 17).

There is nothing to indicate, and no reason to believe, that these exchanges took place in any language other than Greek. Nor, though we can assume that Isidorus himself remained always in Pelusium (and many of his letters duly refer to affairs in the Egyptian province of Augustamnica I), can we locate any of these correspondents; it is, however, a reasonable working assumption that the Jews addressed or referred to will have been in Egypt. What emerges is that Christian belief and biblical interpretation were known to be under challenge, and not merely in an abstract sense, relating to different written, or traditional, interpretations, but in the concrete sense of specific personal disputes. Once again we see how the contemporary religious scene was marked by overt rivalries.

If we return from this excursus, related to Socrates' account of violent Jewish-Christian clashes in Alexandria, we come to his equally well-known, if brief and enigmatic, report of an episode which he places shortly after that at Alexandria, hence in the middle of the second decade of the century, which took place at a locality apparently called "Immonmestar" or "Inmestar" (surely in fact Immae?), situated between Chalcis and Antioch in Syria. The context must at any rate be a village or small town. The Jews there were alleged to have drunkenly abused both the Cross and the Christians who rested their hopes on the crucified one. They had then taken a Christian boy and crucified him, and subsequently tortured him to death. Clashes between them and the local Christians then resulted, the authorities were informed, and the Jews were tried and condemned (*EH* 7, 16).

It would be futile to speculate on the truth of this episode, just as it is with the last of the narratives concerning Jews which Socrates presents. According to this story, set in the 430s, a deceiver, or false prophet, named Moses persuaded the Jews of Crete that he was a reincarnation of the biblical Moses, sent from Heaven to lead them across the sea, just as he had over the Red Sea. He preached this message for a whole year in the cities of the island, and persuaded the Jews to believe him, urged them to abandon their wealth and possessions, and promised to lead them dry across the sea to the Promised Land. On the appointed day he led them to the shore, and

urged them to enter the water. Many died, and more would have done so, if Christian fishermen and traders had not rescued them. The false Moses vanished, and many of the Jews of Crete abandoned Judaism and converted to Christianity (*EH* 7, 38).

The prejudicial nature of this outsider's narrative is obvious; but it could not have been told if there had been no Jews on Crete, and if their attachment to the Bible and hope of the Promised Land were not known. It also reflects the universal assumption that the conversion of Jews was desirable, neither obligatory on the one hand nor ruled out on racial grounds on the other. There we must leave the story.

Given profound uncertainties about authenticity and attribution,⁵¹ we may merely note a letter attributed to Nilus of Ancyra, addressed to a Samaritan, on biblical interpretation (*Ep.* 3, 116) and another group of letters, to a different Samaritan, on the Resurrection (1, 109–13), and as well as a further one to a Jew named Benjamin on the Sabbath (1, 124). Another refers to the claim being made by a Jew that the loss of Palestine had been due to crimes other than the Crucifixion itself (1, 57).

Finally, we may note that the perception of Jewish onlookers as a hostile chorus, rejoicing in Christian misfortunes or divisions, is applied also to Constantinople. Palladius, in his *Dialogue on the Life of John Chrysostom* (10), records how Jews and pagans jeered at John's expulsion in 404;⁵² while Nestorius, writing his autobiographical polemic, *The Book (or Bazaar) of Heracleides*, from his exile in Egypt, recalls that Jews, pagans, and heretics had been roused against him in 431.⁵³ But perhaps no passing allusion catches the tone and assumptions of the time better than Palladius' report in his *Dialogue on John Chrysostom* (20) of how John's supporters, after condemnation, were escorted from Constantinople round by land to exile in Egypt and were deliberately housed overnight by their military escorts in Samaritan or Jewish synagogues, especially after they had passed through Tarsus in Cilicia. Such synagogues could be assumed to be there, and being given lodging in them was intended as a deliberate humiliation.

Conclusion

The scattered evidence, of various types, at which we have looked is obviously insufficient to allow definite conclusions. But it is coherent and tends in the same direction. In essence what has been offered here is a return to the implications of older collections of Christian

evidence relating to Jews, by Jean Juster, or by Marcel Simon, focusing on the Jews viewed as a hostile, or rival, element in the Christian period.⁵⁴ But this material is reinforced here by documentary and archaeological evidence, much of which had not been available to earlier scholars. What is deliberately omitted here is “Judaean-Christians,” or Ebionites, for whom we are entirely dependent on Christian reports.

The religious spectrum of the period around A.D. 400 was in any case complex enough. All that is asserted here is that the history of Judaism in late antiquity cannot be confined to Palestine, for we can see that there was a very significant Jewish life in the diaspora: predominantly Greek-speaking, but with strong hints that Hebrew and Aramaic might be studied and used here too; a “synagogal” Judaism certainly, but not one in regard to which we can either assert or deny the title “rabbinic” (the *sophodidaskalos* from Sardis, and Synesius’ *nomodidaskalos* should give us pause for thought); a Judaism based on the Bible, from which anyone was free to escape by the simple step of converting to Christianity, as some certainly did; and a communal Judaism which was assertive, might attract “God-fearers” or full proselytes, could be argumentative, and might on occasion turn to abuse and violence. This chapter in the history of Judaism has yet to be written.

Notes

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1. See J. H. W. G. Liebeschuetz, *The Decline and Fall of the Roman City* (2001).

2. S. Schwartz, *Imperialism and Jewish Society, 200 B.C.E. to 640 C.E.* (2001), and “Historiography on the Jews in the Talmudic Period,” in M. Goodman, ed., *The Oxford Handbook of Jewish Studies* (2002), 36. The importance of the diaspora in the Greek-speaking world is emphasised by the publication in 2004 of the three volumes of *IJudO*.

3. See, for example, J. M. G. Barclay, *Jews in the Mediterranean Diaspora from Alexander to Trajan (323 B.C.E.–117 C.E.)* (1996), the papers collected in T. Rajak, *The Jewish Dialogue with Greece and Rome: Studies in Cultural and Social Interaction* (2001), and E. Gruen, *Diaspora: Jews amidst Greeks and Romans* (2002).

4. A. Linder, *The Jews in Roman Imperial Legislation*, edited with

introduction, translation, and commentary (1987).

5. See above all L. Rutgers, *The Jews in Late Ancient Rome: Evidence of Cultural Interaction in the Roman Diaspora* (2000); B. Blumenkranz, *Juifs et Chrétiens dans le monde occidental, 430–1096* (1960); D. Noy, *Jewish Inscriptions of Western Europe I: Italy, Spain, Gaul* (1993), II: *City of Rome* (1995); S. Bradbury, *Severus of Minorca: Letter on the Conversion of the Jews* (1996); M. Williams, “The Jews of Early Byzantine Venusia,” *JJS* 50 (1999): 38.

6. M. Jacobs, *Die Institutionen des jüdischen Patriarchen* (1995).

7. *Cod. Theod.* 16, 8, 12 = Linder (n. 4), no. 25.

8. *Cod. Theod.* 16, 8, 18, trans. Linder (n. 4), no. 36.

9. *Cod. Theod.* 16, 8, 21, *Cod. Just.* 1, 9, 14 = Linder (n. 4), no. 46. The reading and meaning are by no means clear, and in particular it is uncertain what is signified by the word *obteratur*, translated above as “be oppressed.”

10. *Cod. Theod.* 16, 8, 25 = Linder (n. 4), no. 47.

11. *Cod. Theod.* 16, 9, 5 = Linder (n. 4), no. 48, whose translation is used above.

12. For the various fragments, see Linder (n. 4), no. 49. The reassertion of protection comes from *Cod. Theod.* 16, 10, 27, and the order to Christians, quoted above in Linder’s translation, from *Cod. Theod.* 16, 10, 24.

13. *Nov. Theod.* 3 = Linder (n. 4), no. 54.

14. For limitations on Jewish access to public office in western legislation after 395, see (possibly) *Cod. Theod.* 16, 8, 16 = Linder (n. 4), no. 33, whose precise scope is not at all clear; *Cod. Theod.* 16, 8, 24 = Linder (n. 4), no. 45 (March 10, 418); Linder (n. 4), no. 51, of July–August 425, combining *Const. Sirmond.* 6 with *Cod. Theod.* 16, 5, 62 + 16, 2, 46 + 16, 5, 63 + 16, 2, 47 + 16, 5, 64. Issued at Aquileia immediately after the suppression by eastern forces of a usurper, and the proclamation of the child Valentinian III as Emperor in the West (as “Caesar” in October 424, and as “Augustus” in Rome in October 425), this law can in fact be regarded as a product of the policy of Theodosius. All the same, there is no record of the promulgation of its provisions in the East at this moment.

15. See, e.g., B. S. Bachrach, “The Jewish Community of the Later Roman Empire as Seen in the *Codex Theodosianus*,” in J. Neusner and E. S. Frerichs, eds., “To See Ourselves as Others See Us”: *Christians, Jews and “Others” in Late Antiquity* (1985), 399.

16. Schürer, Vermes, and Millar, *History* III.1 (1986), 1–86.
17. S. J. D. Cohen, “Epigraphic Rabbis,” *JQR* 72 (1981–82): 1. See Noy, *Jewish Inscriptions* I (n. 5 above), nos. 22, 36, 86, 183, 186.
18. For a (sadly typical) general interpretative description of the Rehov synagogue, not based on any detailed archaeological report or analysis, see E. Stern, A. Lewisohn-Gilboa, and J. Aviram, eds., *New Encyclopaedia of Archaeological Investigations in the Holy Land* IV (1993), 1272–74. In the absence of any properly established archaeological dating, it is not possible to say even in what century the main mosaic inscription was laid down. As a result, what should be the starting point of all serious historical study of “Palestinian” rabbinic Judaism is rendered useless.
19. See M. Goodman, “Jews and Judaism in the Mediterranean Diaspora in the Late-Roman Period: The Limitations of Evidence,” *Journ. Med. Stud.* 4 (1994): 208.
20. J. Reynolds and R. Tannenbaum, *Jews and Godfearers at Aphrodisias* (Cambridge Philological Society, supp. vol. 12, 1987); A. Chaniotis, “The Jews of Aphrodisias: New Evidence and Old Problems,” *SCI* 21 (2002): 209. See now *IJudO* II, 70ff., nos. 14 (the main inscription)–29.
21. *Cod. Theod.* 16, 8, 7 = *Cod. Just.* 1, 7, 1 = Linder (n. 4), no. 12 (A.D. 353); *Cod. Theod.* 16, 7, 3 = Linder (n. 4), no. 16 (A.D. 383), also penalising Christians who associated themselves with pagan rites or with Manichaeism. *Cod. Theod.* 16, 8, 22 = Linder (n. 4), no. 41 (A.D. 415), among other things penalises any Jew who converts (or circumcises?) a Christian, whether free or slave. Cf. also the enactments of A.D. 423 and 438 quoted in text to nn. 11–13 above.
22. The Samou ⲉⲓ 1, *presbeut* ⲉⲓ s, listed on lines 26–27 is presumably, but not certainly, the same man whose name is added in the margin.
23. See A. Chaniotis, “Zwischen Konfrontation und Interaktion: Christen, Juden und Heiden im spätklassischen Aphrodisias,” in A. Ackermann and K. E. Müller, eds., *Patchwork: Dimensionen multikulturellen Gesellschaften* (2002), 83.
24. For the most systematic accounts so far available, see A. R. Seager, “The Building History of the Sardis Synagogue,” *Am. Journ. Arch.* 76 (1972): 425; A. R. Seager and A. T. Kraabel, “The Synagogue and the Jewish Community,” in G. M. A. Hanfmann, ed., *Sardis from Prehistoric to Roman Times: Results of the Archaeological Exploration of*

Sardis, 1958–1975 (1983), 169.

25. See J. H. Kroll, “The Greek Inscriptions of the Sardis Synagogue,” *Harv. Th. Rev.* 94 (2001): 5. See now *IJudO* II, 209ff., nos. 53–145.

26. F. M. Cross, “The Hebrew Inscriptions from Sardis,” *Harv. Th. Rev.* 95 (2002): 3.

27. C. Sirat, P. Cauderlier, M. Dukan, and M. A. Friedmann, *La Ketuba de Cologne: un contrat de mariage juif à Antinoopolis* (1986).

28. For a list of transliterated Greek words (the dating formula, titles, names, place-names, weights, and objects), see Sirat et al. (n. 27), 71–72.

29. See C. H. Kraeling, ed., *Gerasa: City of the Decapolis* (1938). See pp. 234–41, “The Synagogue Church,” with inscription no. 323 (p. 483), giving the year 593 of the era of Gerasa. For the synagogue mosaic, see pp. 318–23, with the mosaic inscriptions nos. 285–87 (p. 473). The mosaics of both synagogue and church are beautifully presented and discussed in M. Piccirillo, *The Mosaics of Jordan* (1992), 290–91. For a succinct and useful account, see L. Levine, *The Ancient Synagogue* (2000), 239–40. Not in *IJudO*.

30. For the synagogues of Scythopolis, see E. Stern et al. (n. 18), 223–34. For a fine analysis of the evolution of the city in the late Roman period, see Y. Tsafrir and G. Foerster, “Urbanism at Scythopolis–Bet Shean in the Fourth to Seventh Centuries,” *Dumbarton Oaks Papers* 51 (1997): 85.

31. For the best introduction to the site of Hammat Gader, see Y. Hirschfeld, ed., *The Roman Baths of Hammat Gader* (1997). The synagogue is thought to date to the early fifth century, and reveals four quite substantial inscriptions in Aramaic, all recording the names of benefactors. As a famous place of resort, producing also extensive Greek inscriptions, Hammat Gader was plainly a place of mixed culture.

32. The inscriptions are *CIJ* II, nos. 803–18; the dated texts are nos. 803 and 805. See also, for all these texts, *Ins. Gr. et Lat. de la Syrie* IV, nos. 1319–37, and for a selection B. Lifshitz, *Donateurs et fondateurs dans les synagogues juives* (1967), nos. 30–36. See now *IJudO* III, 84ff., nos. Syr 53–71 (with photos of some texts).

33. Reproductions of the synagogue mosaics are extremely hard to find, but see V. Verhoogen, *Apamée de Syrie aux Musées royaux d’Art et d’Histoire* (1964), pls. 15–17. See also Levine (n. 29), 240–42.

34. For the fullest treatment, see J. Nollé, *Side im Altertum: Geschichte und Zeugnisse (Inschriften Griechischer Städte aus Kleinasien* 44, 2001) II, nos. 190–91 (pp. 511–19). See *IJudo* II, 462ff., 219–20.

35. *P. Oxy.* XLIV, no. 3203.

36. For the Syriac *acta*, see J. P. G. Flemming, *Akten der Ephesinischen Synode vom Jahre 449 (Abh. d. Kön. Ges. der Wiss. zu Göttingen, Phil.-hist. Kl., N.F. XV, 1917)*. For this episode, see pp. 82–85. The text had been translated into English by S. W. F. Perry, *The Second Synod of Ephesus* (1881), 196–97.

37. For the *Chronicle*, see L. Hallier, *Untersuchungen über die Edessenische Chronik (Texte u. Untersuchungen IX, 1892)*, para. LI (text and German translation); also I. Guidi, ed., *CSCO, Scriptorum Syri* III.4 (1903), 1–11.

38. For the *Life* of Rabbula, see the extracts published and translated by F. Nau in *Rev. Hist. Relig.* 103 (1931): 97, and the fine analysis by G. W. Bowersock, “The Syriac Life of Rabbula and Syrian Hellenism,” in T. H. Morgan and Ph. Rousseau, eds., *Greek Biography and Panegyric in Late Antiquity* (2000), 255.

39. See the extracts edited by F. Nau in *Rev. Or. Chr.* 18 (1913): 272 and 379; 19 (1914): 113 and 278, also *Rev. Ét. Juives* 83 (1927): 184. For a discussion, in essence sceptical, of the authenticity of the *Life* as a source for events in the Theodosian period, see E. Honigsmann, *Le couvent de Barsauma et le Patriarchat jacobite d’Antioche et de Syrie* (1954), chap. 2.

40. See above all R. L. Wilken, *John Chrysostom and the Jews: Rhetoric and Reality in the Late 4th Century* (1983). Note also W. A. Meeks and R. L. Wilken, *Jews and Christians in Antioch in the First Four Centuries of the Common Era* (1978), with translations of *Discourses* I and VIII, and P. W. Harkins, *Saint John Chrysostom, Discourses against Judaizing Christians* (Fathers of the Church 68, 1979).

41. *Com. Ezek.* 48:35 (PG LXXXI, cols. 1248 and 1253).

42. *Qu. in Gen.* 10, *Qu.* 61 (PG LXXX, col. 165).

43. There is to my knowledge no serious study of the Greek used in Palestinian synagogue inscriptions. See now L. Roth-Gerson, *The Greek Inscriptions from the Synagogues in Eretz Israel* (1987, Hebrew). For a collection of one category of the evidence, see A. Ovadiah, *Hellenistic, Roman and Early Byzantine Mosaic Pavements in Israel* (1987), and for the mixture of languages among all the religious communities of Palestine, see F. Millar, “Ethnic Identity in the Roman Near East, AD

325–450: Language, Religion and Culture,” *Mediterranean Archaeology* 11 (1998): 159 (= chapter 15 of the present volume).

44. A. Salvesen, “A Convergence of the Ways? The Judaizing of Christian Scripture by Origen and Jerome,” in A. H. Becker and A. Y. Reed, eds., *The Ways That Never Parted: Jews and Christians in Late Antiquity and the Early Middle Ages* (2002), 233.

45. This question cannot be pursued here. But note, e.g., *Praef. in Libros Regnorum* (PG LXXX, col. 1447); 11:13 (col. 1512); *Com. in Osee* 2:15 (LXXXI, col. 1564): “the Ach Ⲁ r I have found [written] Achar in Syriac.”

46. *Syriac Life*, chaps. 130–32 Hilgenfeld/121–23 Doran. For a German translation, see H. Lietzmann et al., eds., *Das Leben des Heiligen Symeon Stylites* (*Texte u. Untersuchungen* XXXII.4, 1908), 79–80 (trans. H. Hilgenfeld). English translation by R. Doran, *The Lives of Symeon Stylites* (Cistercian Studies 112, 1992). Cf. Evagrius, *HE* 1, 13.

47. On Socrates, see Th. Urbainczyk, *Socrates of Constantinople: Historian of Church and State* (1997).

48. See, however, C. Haas, *Alexandria in Late Antiquity: Topography and Social Conflict* (1997), chaps. 4 and 9.

49. R. L. Wilken, *Judaism and the Early Christian Mind: A Study of Cyril of Alexandria’s Exegesis and Theology* (1971).

50. For the correspondence, in five books, with 2,102 letters in all, see PG LXXVIII, cols. 177–1046. For a modern study, see P. Evieux, *Isidore de Péluse* (1995), and for an edition and translation of (so far) nearly 500 of the letters, P. Evieux, *Isidore de Péluse, Lettres* I: nos. 1214–1413, and II: nos. 1414–1700 (*Sources Chrésiennes* 422, 1997, and 454, 2000). Note that Migne, as cited above, uses a division by book and number, while Evieux’s edition deploys the continuous numeration found in some manuscripts.

51. See Alan Cameron, “The Authenticity of the Letters of St Nilus of Ancyra,” *Gr. Rom. and Byz. St.* 17 (1976): 181. The letters are printed in PG LXXXIX, cols. 81–581.

52. See A.-M. Malingrey, ed., *Palladius, Dialogue sur la vie de Jean Chrysostome I* (*Sources Chrésiennes* 341, 1988).

53. Nestorius, *Book of Heracleides* II.1, English trans. G. R. Driver and L. Hodgson (1925), 322; French trans. F. Nau, *Nestorius, Le livre d’Héraclide de Damas* (1910), 240.

54. J. Juster, *Les Juifs dans l’Empire romain: leur condition juridique, économique et sociale*, esp. vol. I (1914), 43–76; M. Simon, *Verus Israel:*

*étude sur les relations entre Chrétiens et Juifs dans l'Empire romain*²
(1964), esp. chaps. iv–vi, viii (English trans., *Vetus Israel* [1986]).

Author's Epilogue: Re-drawing the Map?

Introduction

An epilogue must by its nature involve looking back, and this one duly does so: first to the generous labours of Hannah Cotton and Guy Rogers; then, briefly, to the evolution of my own work since I began a doctoral thesis on Cassius Dio under Sir Ronald Syme in 1958; and finally, and at much great length, to the ancient world itself, and to the various shapes which the writing of its history might take on, when viewed from the perspective of the early twenty-first century.

The first thing is certainly to thank Hannah and Guy, however inadequately, for the huge burden of work which they have taken on, at a real cost to their own interests: negotiation with the publisher, selection of material, transformation of the style of presentation of older papers to fit the new context (much more laborious than might have been expected), the production of maps, proof correction, indexing, and so forth. No one could have better friends than these.

The end product of all these efforts, extending over a number of years, and taking up three volumes, has a coherence, or shows a progression, which by its nature is not a representation of the successive chronological stages of my own work. That began with the first three centuries of the Roman Empire, in the form of a book on Cassius Dio,¹ on the one hand, and of papers on the working of the Empire and on Augustus on the other. A piece of pure luck, in the form of a visit by Jean Bollack to Oxford in 1964, led to an invitation to write the volume of the Fischer Weltgeschichte on the Empire, a task which forcibly extended the range of my knowledge both in space and time.² In many ways it could be said that I have lived ever since off the material thus acquired.

At the same time chance played a part in another way. In the sixties the history of the Jews under the Empire was one of the topics on which I lectured to undergraduates in Oxford. I believe it to be true, rather than a piece of fictional reconstruction, that it was reading Josephus which led me to notice that his narrative involved the despatch of a series of embassies to the Emperor, but did not seem to display the arrival in Judaea of spontaneous commands or general orders sent by the Emperor. This was thus, or so I firmly believe, the origin of *The Emperor in the Roman World*, which began as a planned

monograph on embassies to the emperor, and only later expanded to cover other topics and other forms of communication.

The other direction in which an interest in Josephus led was of course to contact with Geza Vermes, and the revision of Schürer's *History of the Jewish People*,³ the product of a series of step-by-step developments which are vividly recalled by Geza in his autobiography, appropriately entitled *Providential Accidents*.⁴ To say that both authors, or editors, had to learn on the job is a polite way of confessing that we had at the beginning not the faintest idea of what the task would involve, or on what principles it could be carried out. When Martin Goodman joined us, however, he seemed to have a complete grasp of the problems from the beginning.

In the mean time I had moved to University College London in 1976, and found my new colleagues unanimous in the view that the new professor, in succeeding Arnaldo Momigliano, should inherit the lecture series covering Greek history from 404 to 31 B.C. A rapid immersion in wholly unfamiliar waters was required. Equally, Roman history, as defined in London, stretched forward to A.D. 410, and brought with it, among others, Eusebius, Ammianus Marcellinus, and Augustine. But, in a way which was even more novel for me, it also extended back over the whole history of the Roman Republic to look at the regal period and the legendary origins of the city. Whatever sense I have of Republican Rome and its institutions, and of Italy in that period, is owed to my colleagues at UCL, John North and Tim Cornell, but also to Michael Crawford, and (and in a different sense) to a stay at the British School in Rome in 1983.

That intellectual debt remains, even if none of those named would agree with the conception of the power of the *Populus Romanus* which is explored in various articles collected in volume 1, *The Republic and the Augustan Revolution*, and also in *The Crowd in Rome in the Late Republic* (1998) and in *The Roman Republic in Political Thought* (2002). What might look, following the structure of the three volumes of collected articles, like a starting point, was in fact, therefore, an expedition, or excursus, back from the Empire to the Republic; a fairly long excursus, it is true, covering some fifteen years, but an excursus all the same. The results are very controversial, but at least have provoked a lively debate, perceptively surveyed recently by Karl-Joachim Hölkeskamp.⁵ For all that, I remain a conspicuously “non-Roman” historian of Rome, whose intellectual roots lie in the imperial period and in the Greek East.

In consequence, it is the papers in volume 2, *Government, Society, and Culture in the Roman Empire*, which represent my real starting point, or base; and it is from work on the Empire, and especially its Greek half, that I have extended my interests, to a small degree, back into the Hellenistic period, and more particularly to Judaism and Christianity, to the eastern borders of the Empire, and now to the late Empire. It is these latter linked steps which are represented in the present volume, the third and last of the series.

The chief product so far of looking eastwards has been *The Roman Near East, 31 B.C.–A.D. 337*, of 1993, while the main result of attempts to gain some grasp of the late Empire (formidably difficult) is to be the book derived from the Sather Lectures of 2003, *A Greek Roman Empire: Power and Belief under Theodosius II (408–450)*, due for publication in 2006. I hope, and now believe, that circumstances will allow an attempt to complete this series with a book on the late Roman Near East of the fourth to sixth century.

Approaching the Ancient World

This being the trajectory, or the set of (more or less) linked trajectories, which my work has taken, and this being a moment to look back at the ancient world as it evolved from (let us say) the Trojan War on the one hand and Moses in Egypt on the other, as its legendary starting points, to the Islamic conquest of the seventh century, which I would adopt as the—necessarily arbitrary—terminal point, it will be worth reflecting for a moment both on the ancient world itself and on possible ways of writing about it. Since ancient historians tend to be of modest disposition, it is perhaps worth stressing that the period concerned covers two millennia, and is longer than that which stretches from the seventh century to the present.

Some such reflections are already offered in the prologue to volume 1, and in an earlier paper included there, “Taking the Measure of the Ancient World,” and there is no need to repeat here the confession as to the many significant forms of history—ecological, environmental, biological, demographic, technological—which nothing in my work can claim to approach. I also remain an avid admirer of, but no rival to, the sort of sweeping social history, combining a sense of environment with the results of archaeology, represented in Barry Cunliffe’s *Facing the Ocean*,⁶ or in Nicholas Purcell and Peregrine Horden’s *The Corrupting Sea*.⁷ Prospectively, however, if the project for a history of the Near East in the late Roman period were to come off,

it can be asserted that there is no better territory for the study of related small communities, each in their particular environments, than the still-visible ancient villages of several different regions of the Near East. Equally, the sixth-century Petra papyri, now in the course of publication, promise to reveal a developed agricultural economy and village society in an environment which at first glance seems to preclude any such possibility.⁸

If we can approach the ancient world in an incomparably closer and more intensive way now than was possible two centuries ago, this is due, first, to the organisation of knowledge achieved primarily in the nineteenth and early twentieth century, with the great *corpora* of inscriptions, coins, and papyri, and massive series of archaeological reports. But we should be aware also of just how far the advance of technology has completely transformed our capacity to confront the remains of antiquity: firstly, simply by the availability of photographic images of everything from pottery to papyri, inscriptions, coins, statues, architectural elements, wall paintings, relief sculptures, or mosaics. But secondly, and only now beginning to be exploited, the capacity to record, transmit, compare, and combine these images electronically. That brings its own problems, of information overload, of categorisation and storage, and above all of the long-term maintenance of data-bases, whether visual, textual, or both. The capacity to travel relatively easily, and thus literally to see any (or almost any) area of the ancient world, is also a fundamental transformation in itself. But perhaps even more fundamental is the capacity to “see” indirectly, without moving from the spot, an infinity of images of documents, artefacts, art-works, buildings, and landscapes. The intensity of visualisation which Mikhail Rostovtzeff (1870–1951) achieved only by dedicated travel,⁹ and by the inspection of sites and of the contents of innumerable local museums, can (potentially) now be achieved by anyone through a computer screen. None the less, at another level, nothing can substitute for the undefinable lessons of being there, of actually experiencing different environments.

The fact that we can now have a direct apprehension, whether physically and in person, or through images, print, or information technology, has enormous consequences which we have not in reality fully grasped. Hundreds of thousands of documents, whether inscribed on stone or bronze, or written on portable objects like ostraca or on perishable materials (papyri or parchments), millions of coins,

displaying both images and writing, millions of artefacts of innumerable kinds, and thousands of (to varying degrees) standing buildings, or of excavated or unexcavated sites, can now be encountered directly, in one or other of the senses mentioned.

A New Approach to Ancient Languages?

The actual structure of our approach—or of our many different approaches—to the ancient world has, however, not been transformed by these developments to anything like the extent that it could, and in principle should. Take for instance dictionaries or lexicons of Latin and Greek. All of those which are currently available are based fundamentally on the relevant language as found in medieval manuscripts of literary texts, texts which then came to be printed in critical editions from the Renaissance onwards. But if the primary function of such a dictionary or lexicon were seen as being instead to serve as an aid to reading the millions of words of Greek or Latin which are now accessible directly, as preserved on papyri, inscriptions, coins, and other media, there would have to be a completely new start, with individual dictionary entries being based primarily on documents, secondarily on ancient (papyrus and parchment) texts of literary works, and only in the third place on the vocabulary and grammar found in texts printed from medieval manuscripts. To be carried out in a fully purist fashion, the entries would also have to reflect the grammar and spelling of archaic Latin or of early Greek documents, where relevant, or of papyri or rustic inscriptions, and even—to be fully purist—to represent variant letter forms.

Of course, in the real world the level both of collective effort, in deciding on the principles to be followed in a document-based dictionary or lexicon, and in reading and analysing the vocabulary, grammar, and script found in millions of surviving items of evidence, is completely inconceivable, as is the investment required for any such enterprise. So, in reality, we must reconcile ourselves to making do with guides to the classical languages which are not based on the vast evidence now available for Greek and Latin as they were actually written in the ancient world.

This unattainable prospect is even more tantalising when we consider that we have at our disposal a very significant range of, in one sense, literary texts for which the manuscript evidence does in fact date from the ancient world. For this purpose I suggest, as noted

above, that the moment of the Islamic conquests in the Levant in the seventh century can serve as a reasonable terminal point for "antiquity." This definition would leave us with, as genuinely "ancient" ancient texts, not only large parts of Homer, as preserved on hundreds of papyri, but a mass of other Greek poetry, and some Latin, also known from papyrus, not to speak of scraps of the *Aeneid* from Masada, in one corner of the Empire, and from Vindolanda, in the diametrically opposite one;¹⁰ but also (for example) the complete surviving text of the Aristotelian *Athenaion Politeia*, also from a papyrus, some fragments of Gaius' *Institutes*, the late Roman illustrated manuscripts of Vergil,¹¹ virtually the complete Greek Bible, from the fourth-century *Codex Sinaiticus* and *Codex Vaticanus* and the fifth-century *Codex Alexandrinus*;¹² and (just about) the *Digest*, from the seventh-century Florentine manuscript which, if at the limits of the chronological definition suggested, has the distinction of having been written only about a century after the compilation of the work in question.

Quite apart from their intrinsic literary or intellectual significance, manuscripts or documents which themselves actually date from the Ancient World have an extra relevance, as providing direct evidence for the history of language, vocabulary, grammar, lay-out, and script. From them, in other words, we can see the texts as they were written or copied, not as corrected by medieval scribes, Renaissance printers, or modern scholars. Even if contemporaries would themselves have regarded some of these texts as inaccurate or ungrammatical, they still represent historical evidence of language and writing as practised by a particular person at a particular moment, and which therefore has an importance which cannot be matched, in this respect, by any medieval manuscript, or any printed text based on it.

So far, however, all the propositions put forward have related, in a very conventional way, only to Latin and Greek. That is not unreasonable, for however profoundly one wishes to (pretend to) start again, and to look at the ancient world as it was, and not as filtered for us by medieval manuscripts and Renaissance and modern printed texts, that "ancient world" which is the object of attention here is quite properly defined by the use of Greek and Latin. There were, however, other languages and/or scripts which were in use in the ancient world in question, from the Atlantic to northern India, and from the second millennium B.C. to the seventh century A.D.—for instance Celtic, Etruscan, the Italic dialects, Punic, Phoenician,

Egyptian, various branches of Aramaic, including Syriac, and also Hebrew, Old and Middle Persian, Parthian, Akkadian, and Indian languages related to Sanskrit.¹³ Many of these languages do not in general suffer the “disadvantage” of being seen through the lens of a vast store of medieval manuscripts which have been studied, printed, and re-produced in corrected editions for several centuries. In their case there is no option for us but to relate to them in the forms on which they were written in antiquity. The proposition that all of these languages and cultures should play a part in our overall view of the ancient world—not of course that they can all do so in the work of any one person—is clearly implied by mentioning them at all. Among these, the great challenge, hardly faced yet, must be Graeco-Roman Egypt, the inheritor of several millennia of civilisation, with its distinctive architecture, art forms, customs, governmental structure, and religious and social structure, and exhibiting in exceptionally complex form the interaction of its culture with Greek, and the survival and flourishing of its regional culture and historical memory, in far more distinctive forms than are characteristic of almost any other region, not to speak of the eventual evolution of its language, in the form of Coptic, as a language of Christian culture and liturgy. There are many reasons why Egypt is wholly exceptional among the regions which came within the domination of Graeco-Roman civilisation: the geological and ecological nature of Egypt, as a narrow strip of fertile land along a major river, bounded on either side by mountains or desert; the sheer weight of its past and its major pre-classical monuments, which still dominate the landscape today; its very distinctive art and architecture; and, above all, the linguistic demands imposed on any individual if he or she were to be fully conversant with the hieroglyphic Egyptian writing found on monuments (and still being written in the Roman imperial period), with the demotic Egyptian found on papyri and ostraca, and with Coptic, as well as with the mass of Greek (and some Latin) also found on papyri and ostraca. So it is perhaps not surprising that a large-scale, fully multi-dimensional, history of Egypt in the thousand years between Alexander and the Islamic conquests has yet to be written.¹⁴ In the writer’s eyes this remains one of the most challenging tasks facing students of the ancient world. It is all the more so, and all the more important, because any such approach would also have to confront one of the most important chapters in the earlier history of Christianity. But would it in fact be one chapter or two? Was “Egyptian” Christianity a coherent entity, or were Greek and Coptic

Christianity separate and contrasting elements?¹⁵ What part the history of Christianity should play in our approach to the ancient world is a topic to which we will return later.

So far, the emphasis has been, firstly, on the complete (potential) transformation in the means of access to the Greek and Latin heritage of the ancient world and, secondly, on the variety of languages to be found even in an “Ancient World” whose scope in time and place is defined by the use of Greek and Latin. In the case of most of these languages we come to the literature and documents now available without either the benefit or the handicap created by the existence of extensive narrative texts, such as the major Greek and Roman historians, originally composed within the Graeco-Roman period, but known to us (mainly) through medieval manuscripts. It would be absurd to claim that we either could, or should, attempt to escape from the interpretative framework offered by a Herodotus, a Thucydides, a Livy, or a Tacitus; but even in these cases there cannot fail to be a constant tension between the interpretations imposed by their narratives and the ever-growing mass of detailed information deriving directly from the ancient world (sometimes in the form of inscriptions which are sufficiently long and detailed to represent interpretative narratives in their own right).

Canonical Texts and Historical Reconstruction

But it is not only in narrative history that the long-established dominance of material known and used for centuries, because contained in medieval manuscripts, and long since published in printed editions, may pose truly profound problems in approaching the ancient world afresh now, in the light of the mass of material now available. The question of how to write history may be equally complex in those fields where there are long-established and long-known “canonical” texts which are not in essence historical in character, but which set out norms in terms of which the historical evolution which lies behind them can be interpreted. But should they be allowed to set these norms? We will take as examples three groups of material where we are confronted with the extra problem that they each also retain a relevance for us which is not solely historical, but reflects their function in the modern world: the three cases are Roman law, the Bible, and the standard texts of Talmudic Judaism.

Each of these bodies of material *can* legitimately be approached in a wholly non-historical way. We *can* of course read them as vast and

significant bodies of text (which the overwhelming majority of readers, of the Bible at least, will only ever approach in one translation or another), and *can* ignore the questions of the context in which they were first generated, of the manuscripts in which they were copied, and of the nature of the printed editions of the last five centuries, which for most readers will inevitably represent what “the Digest,” “the Bible,” or “the Talmud” is. Taking the text as presented in each case in modern printed editions, we can ask (for instance) what moral, spiritual, or intellectual lessons it contains, what doctrines or principles it puts forward, or whether it is internally consistent, or embodies contradictions and ambiguities. And at least in the case of some of the works which make up the Bible, we will want to ask what literary qualities they have. We can treat such a canonical work, in other words, as a self-contained body of text which we have profound motives for wishing to interpret.

Let us take first the example of Roman law. We *can* approach it as a timeless example of legal reasoning and of the expression of legal principles, as embodied above all in three texts: primarily the *Digest* and the *Institutes*, both compiled or written on the orders of Justinian in the sixth century, and secondly Gaius’ *Institutes*, written in the second. All three, it is true, are, in the nature of their contents, not wholly timeless: for they refer to particular items of legislation, enacted at particular moments in the past, and also to decisions in particular cases, and (especially as regards the *Digest* and Gaius’ *Institutes*) to imperial legal rulings embodied in replies to office-holders or private individuals. They are also distinct from each other in literary character and composition: Gaius writes as a private academic jurist of the mid-second century; the *Institutes* of Justinian is proclaimed by the Emperor as the work of three named jurists, who, however, in the text then speak in the Emperor’s name, in the first person; and the *Digest* is a compilation, under a long series of separate headings, of relevant extracts from the private academic writings of the jurists of the classical period, namely the second and third centuries, thus several centuries earlier than Justinian’s reign. None the less, it is a possible and legitimate way to read these texts, especially if the interest of the reader is in subsequent civil law codes, to analyse them in order to determine what “the” Roman law “was”—for instance, the law of property, or theft or inheritance or contract—and what underlying concepts and principles are present.

No such approach, however, is acceptable if our interest is not

formal, but empirical and historical. For if, in enquiring about “Roman law,” what we are concerned about is the law and legal system which operated in what historians, and indeed the man in the street, would normally call “Rome”—namely, the centuries from (say) Coriolanus to the age of Sulla or Cicero, Augustus, or Trajan—then all that already lay in the past, and much of it centuries in the past, before even the earliest surviving work summing up “Roman law,” Gaius’ *Institutes*, was written. Whether the principles set out by Gaius or those who succeeded him had actually been formulated centuries earlier, and hence had been determinative of what law was applied in real-life cases, is an empirical question. The answer will depend on what contemporary evidence we have from earlier periods, either as to specimens of relevant legal reasoning (of which there are some for instance in the speeches of Cicero)¹⁶ or as to procedures adopted in attested cases. In many areas the closest we can get is by reading between the lines of narrative sources, or of forensic orations citing precedents, which themselves may have been written long after the episodes which they claim to report. The same is, of course, true of the constitutional and juridical structure within which, and by which, the law which then applied to Romans was enforced. The “early Roman Republic” which we can encounter is above all that which is set out for us in the pages of Livy, writing under Augustus. If we want to write the history of the Roman constitution and of Roman law, starting in the archaic period and going forward, we can do so (or attempt to do so) only by following the lines of retrospective reconstructions written much later in antiquity.

Any serious approach to a *historical* reconstruction of “Roman law”—of the law as it was actually applied to individuals—can only come when we reach the first period when there is a significant volume of contemporary literary (and some documentary) evidence, namely the first century B.C. But we will only begin to grasp the historical reality of jurisdictional practice, and the legal procedures and principles actually applied in deciding cases, when we reach the first century A.D., with papyri from Roman Egypt on the one hand and the Herculaneum tablets and related documents on the other.¹⁷

From then on documentary evidence is available, if of course extremely erratic in coverage; and we can also derive from the legal sources themselves concrete examples of datable cases in which Roman law was applied. This comes in two forms. Firstly, there is the quotation by Gaius, and by the jurists of whom extracts are assembled

in the *Digest* (and other minor collections of juristic writings), of responses and rulings by emperors, all now laid out in chronological order in the priceless and rather neglected work of G. Gualandi.¹⁸ Secondly, and even more neglected from the point of view of their legal content, there is the collection of imperial legal rulings, embodied in replies directed either to office-holders giving jurisdiction, or to interested private parties themselves, which is to be found in the third of the legal works compiled on the orders of Justinian, the *Codex Justinianus*. These begin, in chronological terms, with a ruling by Hadrian (A.D. 117–38) to the effect that the issue of whether witnesses to a will were slaves or free should not (in this instance) be raised, since at the relevant time it had been assumed universally that the persons concerned were free.¹⁹ There are however relatively few rulings from the rest of the second century, and a dense sequence of such decisions only appears in the Severan period and after, for which the texts (that is, those addressed to private persons) have been arranged in chronological order, and analysed, in the ground-breaking work of Tony Honoré.²⁰

To point to this body of evidence is not to deny that, both as quoted by jurists and as found in the *Codex Justinianus*, there may be problems in understanding these texts, primarily because none is complete as originally written, and all are in character extracts from rescripts which were originally longer. What is claimed here is simply that, as a genre, by their nature as imperial rulings on specific cases, they potentially provide evidence of the actual real-life application of “Roman law,” in a way which otherwise can only be matched by papyri or other contemporary documents.

So, perhaps one example will serve to illustrate the significance of this collection for the actual application of Roman law. This case comes from the category of imperial rescript which was not studied by Honoré, namely the reply to a query from an official. In a ruling quoted in the *Codex*, Severus Alexander (A.D. 222–35) writes as follows to Iulianus, the proconsul of Narbonensis, evidently in reply to a consultation about the application of the *Lex Iulia de adulteriis*, passed under Augustus:

If Gracchus, whom Numerius caught in the act of adultery at night and killed, was in such circumstances that under the *Lex Iulia* he could be killed with impunity, as this act was committed legitimately, then he [Numerius] deserves no punishment; and the same protection extends to his sons, who acted in obedience to their father. But if, with

the authority of the law failing to apply, it was when rendered reckless by outrage that he killed the adulterer, although a homicide was [in fact] committed, because both the darkness and [his] justified outrage serve to mitigate his action, he may be sent into exile [as opposed to a more severe penalty].²¹

Whether or not the Augustan law had originally been motivated primarily by concern over the conduct of the upper classes in the Rome of his time, as is often supposed, it still applied in the early third century, and it was still relevant in the provinces. We thus touch here briefly on a small piece of local history, and on a real-life example of the working of the imperial juridical system.

The mention at several earlier points of papyri as evidence for the same thing may serve to remind us that although the vast bulk of known ancient papyri come from Egypt, not all do. A substantial (and steadily growing) list of papyri and parchments, over 600 in all, in a variety of languages come from the Roman Near East.²² Of these, a very significant sub-group derive from the provinces of Judaea and Arabia and illustrate the application of legal decision making to Jews in the period from the middle of the first century A.D. to the middle of the second—the period, in other words, of both the first Jewish Revolt (66–73/4) and the second (132–35). Between them, therefore, these documents illustrate the working of jurisdiction both under Roman governors and under the two successive Jewish independent regimes (if, so far, only a few from the first revolt). From this period there are about 150 documents. Since some of them incontrovertibly illustrate the workings of jurisdiction in a Roman province, they belong precisely with the other types of evidence mentioned.

There could, of course, be a conceptual study of the principles of Roman law which was still historical in character: that is to say that it would focus on the principles, doctrines, and definitions of Roman law as expressed in writings or documents of successive periods. Equally “Roman law” could be understood as the private law relating to those inhabitants of the Empire who were Roman citizens. Or the subject might be seen as an aspect of wider social history, embracing constitutional and administrative structures, the nature and procedures of courts, the available means of enforcement, the effects of social distinctions, and so forth; and it would also be a study of how the law and Roman jurisdiction operated in relation not just to Roman citizens but to anyone who lived under Roman rule.

The papyri and parchments from the Judaeian desert would

necessarily play a large part in any study of the latter sort. But they also must and do play a major part in another debate, which brings us to another area where we need to reconcile what we may call retrospective systematising representation on the one hand, with detailed contemporary evidence on the other.

The main actors in the documents from the Judaean desert were all Jews; what is more, the documents illustrate in detail not only how their affairs were conducted under Roman rule, but also, as indicated above, how and under what system of law they were conducted under two successive independent Jewish regimes, in A.D. 66–73/4 (see above) and A.D. 132–35. As mentioned earlier, the range of documents, written in Greek, Hebrew, and Jewish Aramaic, along with some in Nabataean Aramaic from the last years of the Nabataean kingdom which was suppressed in 106, is considerable, and quite sufficient to throw a flood of light on the workings of Jewish society. These remarks do no more than recall the existence of this material without claiming to explore the complex issues which arise from it.

Contrasting with this documentary material, we have a much larger mass of Jewish texts deriving from medieval manuscripts, some of them (as it seems) composed or compiled in Roman Palestine: most notably the Mishnah of perhaps around A.D. 200, or the “Palestinian” or “Jerusalem” Talmud, whose date is profoundly uncertain but is perhaps as early as the fourth century. Along with these there is the much larger Babylonian Talmud, which has formed the basis for rabbinic learning ever since. But, while it is clear that this work was indeed originally compiled in Babylonia,²³ both the date of that process and the wider social context within which the Babylonian Jewish community lived are extremely obscure. It may well be that it did not reach its canonical form until after the Islamic conquests of the seventh century; at any rate the manuscripts on which modern printed editions are based are significantly later again and were written in the thirteenth and fourteenth centuries.

All this vast material is directed to the elucidation of the appropriate rules of Jewish life, and to the interpretation of biblical texts, and reflects the activity of generations of religious experts or scholars who are referred to by the honorific appellation “rabbi” (literally “my master” or “my lord”). To a very striking degree, the various possible approaches to this material can be set out as being quite closely comparable to those applicable to the corpus of Roman law. Firstly, it is perfectly legitimate in this case also to treat this as a

body of significant text, taken as being embodied in whatever modern printed editions are available, and open to analysis as a source of doctrine or of religious rules. Secondly, it would be equally legitimate to work back from the available manuscripts to earlier forms of the transmission of the text, and then to an analysis of the original process of composition, if that can be discerned at all. Thirdly, it would be feasible to take a semi-historical approach, and ask what sort of world or society is represented within the texts as transmitted. Fourthly, one might enquire what external testimony to the composition of the individual works there is, and examine how far we can reconstruct from non-rabbinic evidence, whether Christian or pagan observers, or contemporary documents or archaeological remains, evidence for the nature of the wider society within which these canonical works seem to have been composed. As regards late antique Babylonia, the answer seems to be that we hardly know anything which casts any external light on the context. As regards Palestine, it must seem astonishing to any outside observer that the main historical account of the birth of the Mishnah is provided by a letter addressed to the Jewish congregation of Kairouan in 987, and written by a Babylonian rabbi, Gaon Sherira. It is a serious question (and not merely a rhetorical one) to ask what genuine historical knowledge about Roman Palestine more than seven centuries earlier could possibly have been available to him.

Fifthly, insofar as we can, we could take each work in its context, while simultaneously using it as providing a view of the wider society, Jewish or non-Jewish, and deploying the external archaeological and documentary evidence as a tool for interpreting it. A model is already present, namely Martin Goodman's *State and Subject in Roman Galilee*,²⁴ applying this procedure to the Mishnah. But even if we assume that we can reliably date the Mishnah to around 200, it itself looks back to the activity and role of generations of rabbis, apparently going back to the period immediately after the first revolt, of A.D. 66–73/4. Even over this relatively short time-span, and within a quite well-known wider context, major problems arise. What external evidence have we that persons with the title “rabbi” did function in Palestinian Jewish society? In fact the earliest documentary evidence, quite extensive, comes from the Jewish necropolis of Beth-Shearim, whose own dating probably needs review, but may be taken (provisionally) as the third century. By contrast, in the entire corpus of documentary papyri and parchments of the period from the 60s to the 130s, referred to earlier, not a single rabbi appears.²⁵ No less

striking is the observation which we owe to Hannah Cotton, namely the absence of any Jewish courts in any form from legal documents, whether written in Greek or in a Semitic language.²⁶

It does not follow that there were not at that time Jewish communities who conducted their lives in accordance with what they believed to be Jewish law, or that there was not a continuous maintenance of legal doctrine from the biblical period, through the drastically changing political structures within which Jews lived at successive periods, eventually to give birth to the rules proclaimed by the rabbis who appear in the Mishnah. But, exactly as with the study of “Roman law,” in one or other of various linked but distinctive senses, *if* the purpose of our study is historical, then the primacy must go to asking what forms of authority and jurisdiction are attested in *contemporary* documents, and what sets of legal principles are found being applied there.

Nothing of what is said above implies that in any of the fields mentioned—Greek or Roman history, Roman law, “rabbinic” Judaism—we should jettison (or pretend to jettison) the vast store of information about the ancient world preserved in medieval manuscripts. But it is an assertion that, in every aspect, from the histories of the languages and scripts concerned to the nature and values of the different societies studied, the volume and variety of contemporary evidence which can now be encountered directly, along with the unparalleled extent to which the physical traces of the ancient world can be “seen,” whether directly or through photographic or electronic images, means that the logical structure of our relation to that world has (at least potentially) been completely transformed.

The same is, or should be, true of the most significant of all examples of an ancient canonical text transmitted through medieval manuscripts. Once again, if we wish to take “the Bible” (or rather, in the vast majority of cases, one or other modern printed translation of it) as the object of religious or literary study, that is entirely legitimate. That is, in essence, to take the combined effect of medieval copying and of early modern and more recent printing of the Hebrew, and then of medieval and modern copying and printing of the Greek and Latin versions, and finally translations into modern languages, as constituting what the object of study “is” for us. There are then any number of possible approaches to it, from pious search for the word of God to comparative religion, study of the religious customs portrayed,

anthropological analysis (as by Mary Douglas on Leviticus),²⁷ or concentration on language or literary forms.

But suppose that none of these were our immediate concern, but that our interest were, in one or other of several different senses, historical. If that interest related to what is conveniently called the “ancient world,” let us say, in the Near Eastern context, to the thousand years between Alexander and the Islamic conquests, then our first question would have to be: what *was* “the Bible” as it then was, and do we have any access to it? One indirect, but extremely important, channel of access has already been mentioned, the great fourth- and fifth-century codices of the Septuagint, the Greek translation. Their date means that they are not mere later reflections or copies of the “ancient” (Greek) Bible; on the contrary, they *are* what that Bible “was” in late antiquity, as used by Christians; and the same goes for the substantial number of papyrus fragments.

But what of the Hebrew Bible itself? It cannot be emphasised too strongly that our conception of what the Hebrew Bible “was” in the Graeco-Roman period has been completely transformed in the past half-century by the manuscript discoveries from the Judaean Desert, at Qumran above all. Large parts of the Bible can now be read in texts which are a thousand years or more earlier than the manuscripts on which modern printed versions are based, of which the most important belongs to the early eleventh century. If we cannot yet read all those different parts together in a single volume, with the Hebrew, Aramaic, or Greek reproduced as found in the texts from the Judaean Desert, we can at least now see all these texts together in an English version which is also an excellent guide to the sources from which what we identify as “the Bible” is derived.²⁸ But it still remains to take the much bigger conceptual step of thinking of the Judaean Desert texts as the primary evidence (as they are) and the medieval manuscripts as secondary.²⁹

The new material thus takes us directly to the Bible which Jews in the Hellenistic and Roman period read, and to the concrete nature of the texts which they used, as regards form and material (parchment or papyrus rolls), lay-out, letter forms (with no pointing to indicate vowel sounds), spelling, and grammar. But, if the story of the Bible has entered a quite new phase, which should in principle involve a fundamental revision of all modern printed Hebrew Bibles, that still leaves largely untouched the fundamental question of how we should approach that earlier narrative history which is related in the various

books of the Bible, and which stretches from the Creation to the Persian Empire of the fifth century. The book of Daniel indeed, though it may not appear to at first sight to do so, in fact brings the story, in the form of pseudo-prophecies, down to the second century B.C., in the Hellenistic period.³⁰ So too do two books which were to form part of the Greek Christian Bible, and hence of contemporary Catholic Bibles, but were not included in the eventual canon of the Hebrew Bible; I mean, of course, Ben Sira / Ecclesiasticus, written in Hebrew (of which some was found on Masada), apparently in the early second century B.C., and then translated two generations later into Greek;³¹ and 1 Maccabees, preserved in Greek, but for which a Hebrew original is often supposed. In other words, the earliest actual texts from Qumran, from the third century B.C., overlap in time with the writing of the latest biblical, or semi-biblical, works, and are not enormously remote in time even from the latest events explicitly narrated in the canonical Bible, that is, those recorded in the books of Ezra and Nehemiah, which took place in the fifth century. In a sense, therefore, if we wish to write “Old Testament history,” our starting point and material are now quite promising, and all the more so if we choose to deploy the mass of non-biblical Near Eastern primary material, as in John Bright’s classic *History of Israel*, to retell the whole story from Abraham onwards against the background of what we know from primary documents of local and regional history, from the neighbouring Phoenician cities or to Aramaean kingdoms to the Assyrian, Babylonian, or Persian empires.³² Or, on the other hand, we might argue that all the earlier stages of the narrative represent a fabrication, concocted in the Babylonian Captivity, under the Persian Empire, or even in the Hellenistic period.³³

Alternatively, we could leave open the question of whether the narrative offered by the Hebrew Bible is history or historical fiction and concentrate on the place of that story in the awareness of writers either from the Hellenistic period, such as Ben Sira / Ecclesiasticus, Daniel, or the authors of 1 and 2 Maccabees, or from the Roman period, such as (above all) Josephus in his *Jewish Antiquities*. Whatever choice we make, its basis, to repeat, has been fundamentally transformed by the availability of biblical manuscripts, including a few in Greek translation, actually written in the Hellenistic or early Roman period.

A Different “Ancient History”?

Lying behind the loosely connected observations which have been offered so far is a proposal, or suggestion, for a different way of approaching at least part of the history of the “ancient,” meaning “Graeco-Roman,” world. Furthermore, lying in its turn behind this proposal, to which we will come in a moment, is a recognition that in certain essentials Martin Bernal’s project in *Black Athena* was justified in principle, even if the execution was marred by many conceptual errors, and by a misplaced concentration on a period of which too little is known, the mid-second millennium B.C.³⁴ The fact that the study of the Mediterranean region, as it was in the last two millennia B.C. and the first millennium A.D., has, since the early modern period, been a “Western” activity, combined with the primary educational role of Greek and Latin, has inevitably meant that earlier Greek history has generally been studied in relative isolation from its Near Eastern and Eastern Mediterranean context, and that later Greek history has been explored first in the context of Macedonian imperialism, and then in that of the Roman Empire.

This is simply a fact about the structure of school education and of higher scholarship in the West over the past few centuries (and of the effective absence of any comparable tradition of advanced historical education and scholarship in Islamic societies), and it is futile to denounce it for its inevitable limitations. If a much wider view would have been desirable in principle, as it clearly would, we would at least have to acknowledge that it is hard enough to create frameworks in which the young learn Latin or Greek (or have any awareness of past societies at all), without imagining a system in which it would be common for them also to study Hebrew, Syriac, Egyptian, or Akkadian.

All the same, to revert to themes explored in the “Taking the Measure of the Ancient World” in volume 1 (pp. 25–38), it is remarkable how firm an intellectual and educational barrier has been erected against the incorporation in the canon of Greek texts used for educational study, firstly, of the vast mass of primary material preserved on papyrus or in inscriptions, and, secondly, of Jewish and Christian texts. In a “Western” culture based on a (very partial) fusion of Judaeo-Christian and classical traditions, it is puzzling to reflect on how few students of Greek will ever have been offered the chance to read a private letter on papyrus, an honorific inscription put up by a Greek city—or the Septuagint, or the New Testament, or Josephus’ *Antiquities*, or Eusebius.

But there could be a perfectly valid framework (and educational syllabus) of “ancient history” which took as its central focus the Levant or the eastern Mediterranean of (say) the first millennium B.C. and first millennium A.D., up to the Islamic conquests, and from that perspective would incorporate the emergence of Greek literature, the rise of the Greek city-state, and the spread of Greek colonisation on the one hand, and late Pharaonic Egypt on the other, as well as Phoenicia, the Aramean kingdoms, Israel and Judah, and the Neo-Assyrian, Babylonian, and Persian empires. These empires would be essential to the story, and so—and in the same way—would Alexander’s conquests, the Hellenistic kingdoms and the Roman Empire.

There is naturally no suggestion here that many elements of the sort of history which this framework implies have not already been written; indeed, from major works in French alone it would be possible to construct a massively impressive bibliography of high-level surveys for use in this programme.³⁵ Nor is it feasible that any one student, or even scholar, could master more than a modest proportion of the ancient languages required. In fact the central core of such a programme would be, in several different respects, a highly traditional one. Firstly, it would focus on “our” (Western) conceptual origins; secondly, it would require a focus on two ancient languages, as a minimum: not Latin and Greek, but Greek and Hebrew. Thirdly, at its centre would lie historical narratives composed in the ancient world: Herodotus, Thucydides, Xenophon, and their successors on the one hand; and the biblical narrative, from the Pentateuch to Chronicles, on the other. Since 2 Chronicles concludes with “the first year of Cyrus, king of Persia,” it cannot (obviously enough) have reached its present form before the Achaemenid period. As an exercise in historiography, 1–2 Chronicles is therefore broadly contemporary with the major works of classical history writing. But there is a huge contrast of genre. Greek historians, as John Marincola has shown so powerfully, sought deliberately to stress their personal identities and their personal authority for the truth of what they recorded.³⁶ But one and all of the narrative works found in the Hebrew Bible are anonymous: as texts, they present to the reader no “authors.” The study of these two contrasted styles of history writing could not fail to be a key element in the projected programme.

A further stage would be (as above) to look at the Hebrew Bible as it was in the Hellenistic period, concretely laid before us in the texts

from Qumran and the Judaean Desert. Some of these, like the great Isaiah scroll, written in the second half of the second century B.C., are so clear that advanced students could read them in facsimile.³⁷ At the same time, the few biblical manuscripts in Greek, from Qumran and elsewhere, could serve as a stimulus to approaching the Hellenistic Greek of the Septuagint. As for continuing with narrative history, there is Ben Sira / Ecclesiasticus, whose famous chapter 44 (“Now let us praise famous men . . .”) and following, reflecting the key points of what was by now (around 200 B.C.) accepted as the national history, is among the sections which can (partly) be read in the original Hebrew in the text from Masada. But Jewish national history now shifts into Greek, with 2 and 1 Maccabees (in that order, as I believe), and later Josephus’ *Jewish War* and *Antiquities*, between them matching the succession of histories in Greek by gentiles, from Polybius to Posidonius, Diodorus, Strabo, Nicolaus, Plutarch (writing in various genres), and Appian.

In terms of narrative histories in Greek, the thread would then be taken up primarily by Christian writers, of whom a remarkable proportion came from Syria or Palestine: for example Eusebius, Sozomenus, Theodoret, Procopius, Malalas, and Evagrius, whose *Ecclesiastical History* brings us to the 590s, well within the lifetime of Mahomet.

Absorbing and analysing ancient narrative histories, and the constructions of past and present offered by them, of course does not represent all that the modern historian of antiquity attempts to achieve. But it is none the less indispensable, for it is only from these works that we can gain both a factual grasp as to what the relevant sequences of events and historical periods had been, or was claimed to have been, and of what meaning was attached to them by ancient observers. Put in different terms, until we fully understand the story, or stories, which participants or later ancient narrators offer us, we cannot begin to ask whether we can offer something better, and if so, on what basis.

It is not claimed that the programme suggested here is somehow superior to, or must necessarily be adopted in place of, the established framework of “ancient world” studies, which takes Greek and Roman history (and Greek and Latin) as its basis. It is simply an alternative, which offers a different perspective. Abandoning the long-established “classical” perspective would of course bring huge concomitant losses—Rome and Italy would be seen only as a receptor of Greek culture

on the one hand and as the source of an external dominating military power on the other, paralleling Persia and Parthia from the East—but with incomparably greater and more profound influence. And the whole story of the Romanisation of western and central Europe and the spread there of Latin and of Roman identity would emerge as (from this perspective) a distant and marginal process. The peoples who “faced the Ocean,” to adopt the title of Barry Cunliffe’s major work, would not find their history explored here.

Conclusion

So what is sketched here is not proposed as *the* ancient history for the future, but simply as *an* “ancient history” among others, and one with necessarily indistinct and indeterminate boundaries. Behind it lies a more fundamental methodological principle: that in all the areas, and in all the different languages involved, we have the chance no longer to operate within frameworks derived from texts preserved in medieval manuscripts, but can start (or seriously attempt to start) from material generated in the ancient world itself: written material (manuscripts, papyrus or parchment documents, inscriptions, graffiti); images, buildings, and architectural fragments; manufactured objects, household equipment, decorations, tools; quite large numbers of cities and villages which are still accessible, of which some hardly even require excavation; whole landscapes on which the impact of ancient society is still traceable. The pursuit of this objective, unattainable as it actually is, is the most important way in which we might “re-draw the map.” The second proposal, namely an alternative avenue of approach to the ancient world, one identified not as “Latin and Greek,” but as “Greek and Hebrew,” is in fact less radical, and could indeed be seen as positively traditional, in allowing our approach to be shaped by the two determining elements of “Western” culture. But the parallelism is not just a matter of “us” or of “now,” for it is present in the evidence from the ancient world itself. If it is modern criticism which suggests that the composition of the narrative books of the Hebrew Bible was broadly contemporary with that of classical Greek literature from Homer to Xenophon, it is also the archaeological evidence of scraps of writing on pottery which shows that writing in the Greek language and the Greek alphabetic script appears in the eighth century B.C., just after writing in Hebrew in an alphabetic script did likewise. It is archaeological evidence also which shows how close the “palaeo-Hebrew” script then in use was to Phoenician script,

and how close the two languages were to each other. It is this extensive new evidence, therefore, which gives so much more significance to what we knew all along from Herodotus, that the Greek alphabet derived from “Phoenician letters.” The suggestion of an alternative “ancient history,” in which not just the origins of Greek culture but the whole of Greek history up to the Islamic conquests would be seen in its wider Eastern Mediterranean or Near Eastern context, is in a sense no more than a return to cultural and religious origins. But it gains its point, as an intellectual exercise which might be conducted in the twenty-first century, from the total transformation of our capacity to confront the material evidence directly.

Notes

1. *A Study of Cassius Dio* (1964; repr. 2000).
2. First published in the Fischer Weltgeschichte series as *Das römische Reich und seine Nachbarn* (1966).
3. Schürer, Vermes, and Millar, *History*.
4. G. Vermes, *Providential Accidents: An Autobiography* (1998), chap. 15.
5. See K.-J. Hölkeskamp, *Rekonstruktionen einer Republik: Die politische Kultur des antiken Rom und die Forschung der letzten Jahrzehnte* (Historische Zeitschrift, Beiheft 38, 2004).
6. B. W. Cunliffe, *Facing the Ocean: The Atlantic and Its Peoples, 8000 B.C.–A.D. 1500* (2001).
7. P. Horden and N. Purcell, *The Corrupting Sea: A Study of Mediterranean History* (2000); note esp. W. V. Harris, ed., *Rethinking the Mediterranean* (2005).
8. See J. Frösén, ed., *The Petra Papyri I* (2002), and the evocative survey of late Roman Petra by Z. T. Fiema, “Late-Antique Petra and Its Hinterland: Recent Research and New Interpretations,” in J. H. Humphrey, ed., *The Roman and Byzantine Near East 3* (JRA, supp. 49, 2002), 191. Note also Z. T. Fiema, “Roman Petra (A.D. 106–363): A Neglected Subject,” *ZDPV* 119 (2003): 38.
9. For Rostovtzeff and Franz Cumont, and the background which they brought to the excavation of Dura-Europos, see now the evocative and fascinating article by G. Bongard-Levin and Yu. Litvinenko, “Dura-Europos: From Cumont to Rostovtzeff,” *Mediterraneo Antico* 7 (2004): 135.

10. For the quotation of *Aeneid* 9.473 from Vindolanda, see A. K. Bowman and J. D. Thomas, eds., *The Vindolanda Writing-Tablets (Tabulae Vindolandenses II, 1994)*, 65, no. 118; and for that of *Aeneid* 4.9 from Masada, see H. M. Cotton and J. Geiger, *Masada II: The Latin and Greek Documents* (1989), 31, no. 721.

11. See D. H. Wright, *The Vatican Vergil: A Masterpiece of Late Antique Art* (1993); and *The Roman Vergil and the Origins of Medieval Book Design* (2001), with the challenging review article by Alan Cameron, "Vergil Illustrated between Pagans and Christians," *JRA* 17 (2004): 502.

12. It is relevant, at least in principle, that two of these great *Codices* are available in facsimile editions. For the *Codex Sinaiticus*, H. Lake and K. Lake, *Codex Sinaiticus Petropolitanus et Frederico-Augustanus Lipsiensis* (1911), for the New Testament, and (1922), for the Old Testament; also *The Codex Alexandrinus in Reduced Photographic Facsimile, Old Testament I–III* (1915–36), published by the British Museum. For a convenient account of both, see the pamphlet *The Codex Sinaiticus and Codex Alexandrinus* (1955), published by the British Museum. If copies, on a reasonable scale, were more readily available, either would, like the Great Isaiah Scroll from Qumran (n. 37 below), offer students the possibility of reading canonical ancient texts directly, in facsimile.

13. See now the invaluable *Cambridge Encyclopaedia of the World's Ancient Languages*, ed. R. D. Woodard (2004).

14. To say this implies no lack of appreciation of (for instance) the masterly survey by A. K. Bowman, *Egypt after the Pharaohs, 332 B.C.–A.D. 642: From Alexander to the Arab Conquest* (1986), or of K. Michalowski, *The Art of Ancient Egypt* (1969).

15. See now S. J. Davis, *The Early Coptic Papacy: The Egyptian Church and Its Leadership in Late Antiquity* (2004).

16. See now J. D. Harries, *Cicero and the Jurists* (2006).

17. While there is of course much to be learnt still from the classic study of J. A. Crook, *Law and Life of Rome* (1967), it is with the publication of reliable editions of a large number of tablets of the first century A.D. from Pompeii and Herculaneum that for the first time (in both senses) we can observe "Roman law" in operation in ordinary life. See above all G. Camodeca, *Tabulae Pompeianae Sulpiciorum* (1999), and the review article by G. Rowe, "Trimalchio's World," *SCI* 20 (2001): 225, and now E. Metzger, *Litigation in Roman Law* (2005),

also using contemporary documents.

18. G. Gualandi, *Legislazione imperiale e giurisprudenza* I–II (1963).

19. *CJ* 6.23.1.

20. T. Honoré, *Emperors and Lawyers*² (1994).

21. *CJ* 9, 9, 4. Iulianus is not otherwise known, *PIR*² I 79.

22. See H. M. Cotton, W. E. H. Cockle, and F. G. B. Millar, “The Papyrology of the Roman Near East: A Survey,” *JRS* 85 (1995): 214. In the light of new discoveries this list could now be significantly revised. For a more detailed look at relevant issues, see the author’s review article, “Transformations of Judaism under Graeco-Roman Rule: Responses to Schwartz’s *Imperialism and Jewish Society*,” *JJS* 52 (2006): 139.

23. For the representation of the local, or regional, background which can be drawn from it, see A. Oppenheimer et al., *Babylonica Judaica in the Talmudic Period* (1983).

24. M. Goodman, *State and Society in Roman Galilee*² (2000).

25. For all these points, see now in more detail the review article referred to in n. 22.

26. H. M. Cotton and A. Yardeni, *Aramaic, Hebrew and Greek Documentary Texts from Naḥal Ḥever and Other Sites* (DJD XXVII, 1997), 154.

27. See M. Douglas, *Leviticus as Literature* (1999).

28. M. Abegg, P. Flint, and E. Ulrich, eds., *The Qumran Bible: The Oldest Known Bible Translated for the First Time into English* (1999).

29. Even the excellent editors of *The Qumran Bible*, a truly priceless work of scholarship, occasionally fall into the trap of speaking of readings from the documents from Qumran as *deviations from the standard*, “Masoretic,” text; for example p. 77, speaking of Leviticus: “Thirteen of the sixteen manuscripts exhibit some variation from the traditional Hebrew text.” But that is the wrong framework. In so far as there are differences, it is the medieval text which represents a deviation from the Qumran texts, of 1,000 years earlier, or more.

30. See the author’s “Hellenistic History in a Near Eastern Perspective: The Book of Daniel,” in P. Cartledge, P. Garnsey, and E. Gruen, eds., *Hellenistic Constructs: Essays in Culture, History and Historiography* (1997), 89 (= chapter 3 in the present volume).

31. For the (partial) Hebrew text of Ben Sira from Masada, see S. Talmon, *Masada VI: Hebrew Fragments from Masada* (1999), and *The*

Qumran Bible (n. 28 above), 597–606.

32. J. Bright, *A History of Israel*³ (1981).

33. For an example of the extreme sceptical view, see, e.g., Philip R. Davies, *In Search of “Ancient Israel”*² (1995), and for a vigorous recent response W. M. Schniedewind, *How the Bible Became a Book* (2004).

34. See M. Bernal, *Black Athena I: The Afroasiatic Roots of Western Civilisation* (1987), with the invaluable set of responses edited by M. Lefkowitz and G. M. Rogers, *Black Athena Revisited* (1996). The essential point, that Greek history and culture has been studied as the key element in “classics,” or “Greek and Latin,” but not as one element among others in the pattern of cultures in the eastern Mediterranean and Near East, is accepted by Walter Burkert in *Babylon, Memphis, Persepolis: Eastern Contexts of Greek Culture* (2004).

35. Think for example of a syllabus which ran as follows: P. Briant, *Histoire de l’empire perse de Cyrus à Alexandre* (1996); C. Préaux, *Le monde hellénistique I–II*; M. Sartre, *D’Alexandre à Zénobie: l’histoire du Levant antique, IV^e siècle avant J.-C.—III^e siècle après J.-C.* (2001); C. Morrisson, ed., *Le monde byzantin I: l’empire romain d’Orient (330–641)* (2004).

36. J. Marincola, *Authority and Tradition in Ancient Historiography* (1997).

37. For the “Great Isaiah Scroll,” found virtually complete, see Abegg et al. (n. 28 above), 267–68; and D. W. Parry and E. Qimron, *The Great Isaiah Scroll (IQIsaa): A New Edition* (1999), with photographs and facing transcription.

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As in Volumes One and Two, the index, compiled by the editors, is meant to give some clues and keys to the sequence of thoughts and ideas developed over the years in Fergus Millar's articles on the Greek world, the Jews and the East: names, institutions, events, and dates are all subservient to this principle.

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